

Closed Caption Log, Council Meeting, 07/27/06

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Mayor Wynn: GOOD MORNING. ST.GOOD MORNING, I'M AUSTINMAYOR WILL WIN, IT'S MY PRIVILEGE TO -- WILL WYNN, IT'S MY PRIVILEGE TO WELCOME REVEREND YOUNG MIN SON WHO WILL LEAD US IN THE INVOCATION, PLEASE RISE.

I WOULD LIKE TO OFFER A PRAY IN TWO LANGUAGES, KOREAN AND ENGLISH THIS MORNING IF IT'S OKAY WITH YOU. MAY WE PRAY. [SPEAKING IN KOREAN]

GOD OF LOVE, GOD OF POWER, GOD OF COMPASSION, BLESS US AS WE GATHER HERE, GRANT US IN THIS HOUR GRACE TO ASK THESE GIFTS OF YOU. WISDOM, [INDISCERNIBLE] PEOPLE, INSIGHT THAT REALIZES YOUR WILL. COMPASSION, THAT REACHES OUR PEOPLE AND OPENNESS TO EACH OTHER. MAY YOUR GOODWILL BE DONE ON THIS LAND WE LIVE, THE CITY OF AUSTIN, AND ITS PEOPLE. AMEN.

Mayor Wynn: THANK YOU, REVEREND. THERE BEING A QUORUM PRESENT, AT THIS TIME I WILL CALL TO ORDER THIS MEETING OF THE AUSTIN CITY COUNCIL, IT IS THURSDAY, JULY 27th, 2006, WE'RE IN THE CITY COUNCIL CHAMBERS, THE CITY HALL, 301 WEST SECOND STREET. IT'S APPROXIMATELY 10:15 A.M. WE HAVE A HANDFUL OF CHANGES AND CORRECTIONS TO THIS WEEK'S POSTED AGENDA. THEY ARE ... ITEM NO. 8, WILL BE POSTPONED TO AUGUST 10th, 2006. WE SHOULD NOTE THAT ITEM NO. 18 IS

RELATED TO ITEMS NUMBER 102 AND 106. ON ITEM 19, WE SHOULD -- INSERT THE PHRASE A RESOLUTION AUTHORIZING. ITEM NO. 39, HAS BEEN WITHDRAWN. ITEM NO. 42 HAS BEEN POSTPONED TO AUGUST 10th, 2006. I'M SORRY, BACKING UP, ITEM NO. 20, ALSO WILL BE POSTPONED TO AUGUST 10th. AND ITEM NO. 85 HAS BEEN WITHDRAWN. OUR TIME CERTAINS TODAY, AT NOON WE WILL HAVE OUR GENERAL CITIZENS COMMUNICATION AND AT 1:00 WE WILL HAVE A BRIEFING FROM THE CITY MANAGER ON THE PROPOSED FISCAL YEAR '06-'07 BUDGET. AT 4:00 ZONING CASES, AND I'LL SAY THAT THE FOLLOWING CASES ARE ANTICIPATED TO BE POSTPONED. CASE NUMBER 109, STAFF WILL BE REQUESTING A POSTPONEMENT TO AUGUST 9th, THE SAME WITH ITEM 118, POSTPONED TO AUGUST 9, IT WILL BE THE REQUEST. AS WELL AS 119, 120, 123, 124, 125, ALL REQUESTING A POSTPONEMENT TO AUGUST 9th... 9th. ITEM 126 THE REQUEST 7 BE A POSTPONEMENT TO AUGUST 24th AND THEN CASES 127, 128, 149 AND 150 THE POSTPONEMENT REQUEST WILL BE TO AUGUST 9th, 2006. 5:30 WE BREAK FOR LIVE MUSIC AND PROCLAMATIONS, ERIC IS OUR MUSICIAN TODAY. AT 6:00 WE CONDUCT PUBLIC HEARINGS AND POSSIBLE ACTIONS, WE WILL NOTE THAT -- THAT WE WILL ALSO BE -- BE REQUESTING TO POSTPONE ITEM NO. 152, WHICH IS THE ROSS CREEK M.U.D., POSTPONED TO AUGUST 10th, 2006. SO, COUNCIL, LET'S SEE. BASED ON THAT, I DON'T THINK WE HAVE ANY PULLED ITEMS. ARE THERE ANY -- BEFORE I READ THE CONSENT AGENDA, ANY ITEMS THAT NEED TO BE PULLED? NOTING THAT, OF COURSE, WE ARE POSTPONING 20 AND 42, ITEMS 39, 85... 85 HAVE BEEN WITHDRAWN, ITEM 8 WILL BE POSTPONED TO AUGUST 10E6789... AUGUST 10th.

HOLLY NOELKE FROM THE LAW DEPARTMENT I THINK WOULD LIKE TO CLARIFY SOMETHING.

I'M HOLLY NOELKE FROM THE FLOOD DEPARTMENT, ITEM 83, CONSIDERATION OF A FLOODPLAIN VARIANCE. I WANTED TO CLARIFY THAT THAT IS NOW IN THE CONSENT AGENDA. THE RECOMMENDATION BY STAFF WAS FOR DENIAL OF THE VARIANCE REQUEST. SO THAT IF -- IF IT REMAINS ON THE CONSENT AGENDA, THAT VARIANCE WILL BE DENIED.

Mayor Wynn: THANK YOU FOR ALERTING US TO THAT. MY

INSTINCT IS THAT WE MIGHT WANT TO PULL THAT OFF THE
CONSENT AGENDA.

Leffingwell: MAYOR, I WILL PULL ITEM NO. 83 FOR DISCUSSION.

THANK YOU.

Mayor Wynn: ITEM NO. 83 WILL BE OFF THE CONSENT
AGENDA.

I WANTED TO PULL ITEM NO. 38, A COUPLE OF QUESTIONS.

Mayor Wynn: OKAY. ITEM 38 ALSO WILL BE PULLED.
ADDITIONAL ITEMS TO BE PULLED FROM THE CONSENT
AGENDA, COUNCIL. THEN I WILL -- I WILL READ OUR
CONSENT AGENDA NUMERICALLY. THE CONSENT AGENDA
WILL BE ITEMS NUMBER 1, 2, 3, 4, 5, 6, 7, ITEM WILL TO BE
POSTPONED TO AUGUST 10th, 2006, 9, 10, 11, 12, 13, 14, 15, 16,
17, 18 KNOWING THAT IT'S RELATED TO ITEMS 102 AND 106,
19, PER CHANGES AND CORRECTIONS, 20, 21, I'M SORRY 20
ACTUALLY TO BE POSTPONED TO AUGUST 10th, 2006. ITEM 20
IS POSTPONED. CONTINUING ON. ITEM 21, 22, 23, 24, 25, 26,
28, 29, 30, 31, 32, 33, 34, 35,... MEARNZ., 37, I WILL NOTE THAT
ITEM 39 HAS BEEN WITHDRAWN. 40, 41, 42 TO BE
POSTPONED TO AUGUST 10th, 2006, 43, 44, 45, 46, 47, 48, 49,
50, 51, 52, 53, 54, 55, 56, 57, 58, 59, 60, 61, 62, 63, 64, 65, 66,
67, 68, 69 -- 68, 69, 70, 71, 72, 73, 74, 75, 76, 77, 78, 79, 80,
81, 82, 84, NOTE THAT 85 HAS BEEN WITHDRAWN, 86, 87, 88,
89, 90, 91 ARE BOARD AND ECONOMICS APPOINTMENTS,
THOSE ARE -- TO OUR AIRPORT ADVISORY COMMISSION,
LAUREN MATTHEWS AND PHILLIP ROSENBAUM ARE
CONSENSUS APPOINTMENTS. TO THE ASIAN AMERICAN
RESOURCE CENTER ADVISORY BOARD, MEDICAL LESS SEE
DEMAN IS A CONSENSUS REAPPOINTMENT. TO THE AUSTIN
COMMUNITY TECHNOLOGY AND TELECOMMUNICATIONS
COMMISSION, JOHN ANDREW GREEN IS A CONSENSUS
REAPPOINTMENT AND CHAD WILLIAMS IS COUNCILMEMBER
LEFFINGWELL'S REAPPOINTMENT. TO OUR BUILDING AND
FIRE CODE BOARD OF APPEALS, PHILLIP HAUT IS A
CONSENSUS REAPPOINTMENT. TO OUR CHILD CARE
COUNCIL, KIMMY [INDISCERNIBLE], SUSAN BRIGHT, LILA
CARR AND DEB DEBORAH KEITH THOMPSON ARE ALL
CONSENSUS REAPPOINTMENTS AND ADRIENNE SMITH IS

COUNCILMEMBER KIM'S APPOINTMENT. TO OUR COMMUNITY DEVELOPMENT COMMISSION, OCTOMA [INDISCERNIBLE] IS A CONSENSUS REAPPOINTMENT. TO THE CONSTRUCTION ADVISORY COMMISSION, CALVIN WILLIAMS IS COUNCILMEMBER COLE'S APPOINTMENT, DOWNTOWN ADVISE SOARZ COMMISSION, CHARLES LAWKLAND AND ROSS [INDISCERNIBLE] ARE CONSENSUS REAPPOINTMENTS. ELECTRIC BOARD, DAVID ADAM SON'S COUNCILMEMBER KIM'S, RONMY WILLIAMS, COUNCILMEMBER COLE'S APPOINTMENT. ENVIRONMENTAL BOARD KAREN AS SCOTT IS COUNCILMEMBER LEFFINGWELL'S REAPPOINTMENT. ETHICS REVIEW COMMISSION, ANDY BROWN, CONSENSUS APPOINTMENT AND VELMA PRICE IS COUNCILMEMBER COLE'S NOMINATION OR ACTUALLY CONFIRMING THE APPOINTMENT OF ANDY BROWN. LIBRARY COMMISSION, BRENDA THOMPSON, COUNCILMEMBER KIM'S APPOINTMENT. TO OUR MECHANICAL PLUMBING AND SOLAR BOARD, THOMAS COMBS, STEVEN COX AND GERALDO GARZA IS CONSENSUS REAPPOINTMENTS. TO THE MUSIC COMMISSION, JILL GEORGE, COUNCILMEMBER COLE'S APPOINTMENT, PARKS AND REC BOARD, HECTOR ORTIZ IS A CONSENSUS REAPPOINTMENT. FOR THE PLANNING COMMISSION, MANDY DEALY IS A CONSENSUS REAPPOINTMENT. AND SANDRA KIRK IS COUNCILMEMBER COLE'S APPOINTMENT. TO OUR RENAISSANCE MARKET COMMISSION, ROBERT EDGECOMB IS A CONSENSUS REAPPOINTMENT. TO THE RESOURCE MANAGEMENT COMMISSION, CHRISTINE HERBERT IS COUNCILMEMBER KIM'S APPOINTMENT. AND JOHN HOFFNER IS A CONSENSUS REAPPOINTMENT. TO THE ROBERT MUELLER MUNICIPAL AIRPORT PLAN ADVISORY COMMISSION, TRACY ATKINS IS A CONSENSUS REAPPOINTMENT. TO OUR URBAN FORESTRY BOARD, LARRY MCGINNIS IS A CONSENSUS REAPPOINTMENT. TO THE ZONING AND PLATTING COMMISSION, BETTY BAKER, COUNCILMEMBER DUNKERLY'S APPOINTMENT. CLARK HOME HAND IS COUNCILMEMBER LEFFINGWELL'S APPOINTMENT AND JAMES SKAGGS SORRY IF I'M MISPRONOUNCING THAT IS COUNCILMEMBER KIM'S APPOINTMENT. THOSE ARE BOARD AND ECONOMICS APPOINTMENTS, ITEM NO. -- BOARD AND COMMISSION APPOINTMENTS, ITEM NO. 91 ON THE CONSENT AGENDA. CONTINUING ON, ITEM 93, 94, 95, 96, 97, 98, 99, 100, 101 IS

OUR CONSENT AGENDA. I WILL ENTERTAIN A MOTION.

MOVE.

Mayor Wynn: OKAY.

DAVID DOUGLAS WITH THE LAW DEPARTMENT. I WOULD POINT OUT ITEM 93 HAS A RELATED EXECUTIVE SESSION ITEM WHICH YOU MAY WANT TO TAKE UP AFTER THE EXECUTIVE SESSION. JUST POINTING THAT OUT.

Mayor Wynn: COUNCIL, WITHOUT OBJECTION, ITEM NO. 93 -- [INDISCERNIBLE] OKAY. SO ITEM NO. 93 WILL BE TAKEN OFF THE CONSENT AGENDA AND I FORGOT TO READ ITEM NO. 92 FOR THE CONSENT AGENDA. SO 92 IS ON. 93 IS OFF. MR. SMITH?

COUNCILMEMBER MARTINEZ.

I WILL BE RECUSING MYSELF.

Mayor Wynn: YES, ITEM NO. 94, COUNCILMEMBER MARTINEZ RECUSES HIMSELF. I WILL ENTERTAIN A MOTION FOR THE CONSENT AGENDA. MOTION MADE BY COUNCILMEMBER KIM, SECONDED BY COUNCILMEMBER MCCracken TO APPROVE THE CONSENT AGENDA AS READ. COMMENTS, COUNCILMEMBER LEFFINGWELL?

Leffingwell: MAYOR, ON ITEM NO. 79, I THINK IT'S A SIGNIFICANT EVENT AND SERIES OF THINGS THAT WE ARE DOING TO IMPROVE AIR QUALITY IN THE CITY AND I JUST DON'T WANT IT TO GO UNNOTICED. IT HAS TO DO WITH THE CONVERSION OF REFUSE COLLECTION TRUCKS, SOME OF US CALL THEM TRASH TRUCKS. THAT ARE BEING CONVERTED TO COMPRESSED NATURAL GAS AND I WOULD LIKE JOHN STEPHENS TO COME UP AND EXPLAIN WHAT THIS IS AND THE SIGNIFICANCE OF IT.

THANK YOU, COUNCILMEMBER. ITEM 79 IS A PILOT PROJECT THAT WE ARE IMPLEMENTING BETWEEN OUR FLEET SERVICES DEPARTMENT AND OUR SOLID WASTE SERVICES DEPARTMENT. WE ARE OBTAINING \$150,000 IN GRANT FUNDS FROM THE STATE OF TEXAS, TO HELP US -- HELP US -- TO

HELP US WITH THE CONSTRUCTION OF A CNG FUELING STATION THAT WE ARE GOING TO BE BRINGING TO COUNCIL ON AUGUST THE 10th 10th. AND THEN WE ARE ALSO OBTAINING \$207,000 IN GRANT FUNDS FROM THE STATE TO RETROFIT THE 6 VEHICLES THAT WE ARE GOING TO BUY TO RETROFIT THEM FROM DIESEL TO CNG. THIS IS IMPORTANT I THINK FOR TWO REASONS, THIS PILOT. FIRST IS THAT IT WILL BEGIN TO ADDRESS AIR QUALITY ISSUES IN OUR HEAVY FLEET. WE HAVE BEEN ABLE TO DO FAIRLY WELL WITH OUR LIGHT DUTY FLEET BECAUSE WE HAVE A PROPANE ALTERNATIVE FOR EXAMPLE FOR THAT. ALTERNATIVE TO GAS. BUT WE HAVE NOT BEEN ABLE TO MAKE A LOT OF HEAD WAY WITH OUR HEAVY FLEET. WE HAVE BEEN STUCK USING DIESEL. THERE IS -- SO FOR AIR QUALITY THERE IS A SUBSTANTIAL REDUCTION OF NOX EMISSIONS, THE PRIMARY CONTRIBUTOR TO OZONE LEVELS. WHEN YOU GO FROM THE CURRENT LEVEL FEW TO CNG, A 97% REDUCTION. SECONDLY WE BELIEVE THIS PILOT PROJECT IS ALSO IMPORTANT JUST TO ALLOW US TO DIVERSIFY OUR FUEL SOURCES SO WE ARE NOT RELYING ON DIESEL ONLY. SO AGAIN THIS IS FOR THE PURCHASE OF SIX TRUCKS. WE WILL BRING AN ITEM FORWARD ON AUGUST THE 10th FOR THE FUELING STATION FOR THESE.

Mayor Wynn: FURTHER COMMENTS ON THE CONSENT AGENDA? COUNCILMEMBER COLE?

I NOTICED IN THE PURCHASE KNOWLEDGE SECTION, THE PHRASE BEING REPEATED OFTEN THAT NO SUBCONTRACTING OPPORTUNITIES WERE IDENTIFIED, NO GOALS WERE MET. AND I NOTICED THAT THAT WAS IN 31 OUT OF 39 CONTRACTS. I WOULD LIKE STAFF TO JUST COMMENT ON THAT A LITTLE BIT. TUBAL LIGATION LET'S...

Futrell: LET'S SEE WHO WE CAN GET TO SPEAK TO THAT, TO SAY WHAT THAT PHRASE MEANS AND WHY THERE WOULD BE A NUMBER ON THE AGENDA.

JEFF TRAVILLON, DIRECTOR OF SMALL AND MINORITY BUSINESS RESOURCES. TO MAYOR AND COUNCILMEMBERS. IN MANY INSTANCES YOU WILL SEE, YOU WILL SEE THAT PHRASE BEING USED BECAUSE A -- WE WILL ANALYZE THE TYPES OF WORK THAT WILL BE DONE AND IN MANY

INSTANCES THERE -- YOU HAVE NO OPPORTUNITY TO SEGMENT. WE LOOK AT SCOPES OF WORK. AND BASED ON GOALS -- BASE OUR GOALS ON THE SCOPES OF WORK AND THE AVAILABILITY OF FIRMS TO DO WORK IN THOSE AREAS. WHEN YOU SEE THAT PHRASE, WHAT THAT GENERALLY MEANS IS WHEN THE WORK WAS ANALYZED, THERE WERE NO SCOPES WITH AVAILABILITY OR IT MEANS -- IT MEANS THAT -- THAT THERE ARE USUALLY ONLY ONE OR TWO TYPES OF WORK TO DO, FOR EXAMPLE, IF YOU ARE LOOKING AT -- AT A -- AT AN -- AIR CONDITIONING UNITS, FOR EXAMPLE, THERE ARE VERY FEW -- THERE ARE VERY FEW SCOPES, VERY FEW DIFFERENT TYPES OF WORK TO TAKE OUT AND USE MINORITY OR SMALL FIRMS. SO --

Cole: PERHAPS THIS IS AN ITEM THAT WE NEED TO WORK ON DURING OUR MINORITY AND SMALL BUSINESS AND WOMEN OWNED COMMITTEE.

WELL, WE CAN CERTAINLY WORK THROUGH A BRIEFING AND TALK ABOUT HOW WE DO IT. BUT WHAT IT GENERALLY MEANS IS THAT THERE'S A LACK OF AVAILABILITY OR THERE ARE A LACK OF DIFFERENT SCOPES OF WORK TO SEGMENT OUT AND MAKE GOALS FROM.

Cole: THANK YOU.

COUNCILMEMBER MCCRACKEN.

I THOUGHT THAT COUNCILMEMBER KIM.

Kim: THIS IS SOMETHING THAT WE HEAR TIME AND TIME AGAIN. GOOD FAITH EFFORT, NO SUBCONTRACTING OPPORTUNITIES. I THINK THERE IS A BIT OF FRUSTRATION IN KNOWING HOW WE ARE DOING OUR DUE DILIGENCE FINDING IF THERE ARE TRULY ARE -- THIS IS SOMETHING THAT I AGREE WITH COUNCILMEMBER COLE THAT WE CAN TAKE UP IN THE SUBCOMMITTEE FOR MAYBE M.B.E. AND SMALL BUSINESS.

> WE CERTAINLY CAN TAKE IT UP. THERE'S A CRITERIA THAT WE USE AND EACH AND EVERY TIME THAT LANGUAGE IS USED, THE CRITERIA IS ADHERED TO. WES CERTAINLY SIT DOWN AND TALK ABOUT THE PROCESS THAT IS USED. HOW

BEMAKE THOSE DETERMINE -- WE MAKE THOSE DETERMINATIONS.

Kim: EVEN WITH THE REVAMP OR UPDATING OF THE ORDINANCE, MAYBE SOME THINGS THAT WE ARE DOING DIFFERENTLY NOW THAT WE HAVEN'T DONE IN THE PAST THAT WILL GIVE US MORE INFORMATION TO MAKE THOSE DECISIONS.

WE CAN CERTAINLY TALK ABOUT THE CHANGES IN THE ORDINANCE, HOW THEY WILL AFFECT THOSE DECISIONS AND ONCE AGAIN, WE TRY TO MAKE SURE THAT WE FOLLOW THE RULES THAT ARE IN PLACE AND THAT WE WILL REVIEW THOSE FROM TIME TO TIME TO MAKE SURE THAT THEY ARE ADEQUATE AND APPROPRIATE.

Cole: THANK YOU, JEFF. I JUST WANTED TO MAKE SURE THAT WE EMPHASIZE TO THE STAFF HOW IMPORTANT IT IS TO MAKE ALL EFFORTS ON OUR PART TO HAVE MINORITY PARTICIPATION IN THE CONTRACT.

THAT IS OUR GOAL. ONCE AGAIN, WE LOOK AT AND SIGN EACH -- EACH OF THE REQUESTS THAT -- THAT ARE MADE. WE SPECIFICALLY LOOK AT THE TYPES OF SCOPES OF WORK THAT ARE AVAILABLE AND THEN THE AVAILABILITY OF FIRMS TO DO -- TO DO THAT TYPE OF WORK. SO IT'S SOMETHING THAT WE DO TAKE VERY SERIOUSLY, WE DO WORK DIRECTLY WITH PURCHASING TO MAKE SURE THAT -- THAT THOSE DECISIONS ARE CONSISTENT AND THAT THEY ARE BASED ON THE FACTS OF EACH INDIVIDUAL CASE.

Cole: THANK YOU, JEFF.

Mayor Wynn: COUNCILMEMBER MCCRACKEN?

McCracken: I SEE WE HAVE THE ITEM ON SPEED LIMIT CHANGES ON RIVERSIDE DRIVE. GAVE US PRETTY GOOD COUNCIL DIRECTIONS. I WONDER IF WE COULD HAVE A QUICK EXPLANATION WHERE THOSE NEW SPEED LIMITS WOULD BE, IN RESPONSE TO CONCERNS RAISED A FEW MONTHS AGO ABOUT -- ABOUT SCHOOL CROSSINGS FOR AN ELEMENTARY SCHOOL ON RIVERSIDE DRIVE.

Futrell: WHO DO WE HAVE HERE FROM PUBLIC WORKS?
SONDRA?

GOOD MORNING, SAN DRO CREIGHTON, DIRECTOR OF PUBLIC WORKS DEPARTMENT. WHAT WE ARE DOING BASICALLY IS LOWERING THE SPEED LIMIT FROM 35 MILES AN HOUR IN THE AREA OF SOUTH LAMAR TO SOUTH FIRST, TO 30 MILES AN HOUR AND THEN FROM SOUTH FIRST TO PLEASANT VALLEY IT'S CURRENTLY 40 MILES PER HOUR, WE WILL BE LOWERING IT TO 35 MILES AN HOUR. AND THOSE ARE THE CHANGES THAT WE WILL BE DOING BASED ON THE SPEED STUDY.

McCracken: GREAT. I JUST WANTED TO SAY I APPRECIATE THE PUBLIC WORKS DEPARTMENT DOING THIS. THIS IS AN EXAMPLE OF WHERE FOLKS IN THE COMMUNITY CAME TO US AND YOU ARE SEEING THE RESPONSE TODAY. IT WILL MAKE RIVERSIDE A SAFER PLACE SINCE THAT'S A STREET THAT SERVES NEIGHBORHOODS, NOT JUST A HIGHWAY, SO -- SO REALLY APPRECIATE YOU MAKING THESE CHANGES, THANK YOU.

THANK YOU.

Mayor Wynn: FURTHER COMMENTS ON THE CONSENT AGENDA?

Cole: MAYOR, I WOULD LIKE TO MAKE A A BRIEF COMMENT. MY PLANNING COMMISSION APPOINTMENT IS HERE, SANDRA KIRK, HER MOTHER IS KNOWN IN THE COMMUNITY, MS. WILLIE MAY KIRK, IT LOOKS LIKE SHE'S HEADED IN HER FOOTSTEPS IN HER PUBLIC SERVICE DUTIES.

Mayor Wynn: AGREED, WELCOME MS. KIRK. COUNCILMEMBER KIM.

I WANTED TO TALK ABOUT THE NAME CHANGE RESOLUTION FOR [INDISCERNIBLE] CHANGING IT TO THE M.B.E./W.B.E. SMALL BUSINESS SUBCOMMITTEE. WE HAVE SEEN THROUGH THE SECOND GENERATION AS WELL AS HISTORY IN THE CITY OF AUSTIN THAT THERE IS A DISPARITY BETWEEN THE NUMBER OF CONTRACTS THAT ARE AWARDED AND THOSE THAT ARE AWARDED TO MINORITY WOMEN OWNED

BUSINESSES. SO THIS SUBCOMMITTEE IS SERVING TO HELP BRIDGE THAT GAP. BUT THROUGHOUT THE PROCESS OF LOOKING AT THE ORDINANCE WE IDENTIFIED SOMETHING UNIQUE ABOUT THESE ENTERPRISES, THAT MAJORITY OF THEM ARE SMALL, LOCAL BUSINESSES AS WELL. ONE OF THE RECOMMENDATIONS WAS TO -- TO PUT IN MORE PROGRAMS TO HELP SMALL BUSINESSES BECAUSE THAT WOULD IN TURN HELP MINORITY OWNED BUSINESSES, THEY ARE KEY TO OUR ECONOMY. SO THIS IS GOING TO -- TO HELP US TO RECOGNIZE THE IMPORTANCE OF SMALL BUSINESS PARTICIPATION THROUGH OUR MINORITY AND WOMEN OWNED BUSINESSES.

Mayor Wynn: THANK YOU, COUNCILMEMBER. FURTHER COMMENTS ON THE CONSENT AGENDA? COUNCILMEMBER MARTINEZ?

Martinez: ALONG THOSE SAME LINES, WE SEE THE VALUE OF INDEPENDENT BUSINESSES IN AUSTIN TO WHERE NOW MAJOR DEVELOPMENT FIRMS ARE LOOKING TOWARDS OUR SMALL BUSINESSES TO INCORPORATE INTO THEIR PROJECTS AND I THINK THAT WE HAVE SOME OPPORTUNITY ON THIS COMMITTEE TO REACH OUT TO THOSE SMALL BUSINESSES AND MAKE SURE THAT THEY HAVE CONTINUED TO BE A VITAL PART OF OUR COMMUNITY. AS WE CONTINUE TO GROW.

FURTHER COMMENTS. WE HAVE A -- WE HAVE A HANDFUL OF CITIZENS WHO HAVE SIGNED UP IN FAVOR, HERE TO SPEAK IF WE HAVE QUESTIONS IN FAVOR OF ITEMS THAT ARE ON THE CONSENT AGENDA. OF COURSE BEING APPROVED, WE WON'T CALL ON THOSE, WE DO HAVE ON ITEM NO. 85, CITIZEN SIGNED UP WISHING TO SPEAK IN OPPOSITION. MARCUS DELEON. SIGNED UP WISHING TO SPEAK AGAINST ITEM NO. 85 WHICH IS ON THE CONSENT AGENDA.

Mayor Wynn: EXCUSE ME, 58 HAS BEEN WITHDRAWN, THANK YOU VERY MUCH. I GUESS THAT'S WHY MR. DELEON LEFT. A MOTION AND A SECOND ON THE TABLE TO APPROVE CONSENT AGENDA AS READ. FURTHER COMMENTS? HEARING NONE, ALL THOSE IN FAVOR PLEASE SAY AYE.

AYE.

Wynn: OPPOSED? MOTION PASSES ON A VOTE OF 7-0. THANK YOU ALL VERY MUCH. COUNCIL, WE HAVE A HANDFUL OF POTENTIAL DISCUSSION ITEMS. IF WE CAN START WITH -- TAKE THEM SEQUENTIALLY, WE WILL START WITH ITEM NO. 38 REGARDING AN AMENDMENT TO THE PROFESSIONAL SERVICES AGREEMENT WITH CAROLLO ENGINEERS. APPRECIATE A -- PERHAPS A -- BRIEF STAFF PRESENTATION. FOLKS, IF YOU ALL COULD TAKE YOUR CONVERSATIONS OUT IN THE FOYER, I WOULD APPRECIATE IT, THANK YOU.

GOOD MORNING, MAYOR AND COUNCIL, I'M SONDRÁ CREIGHTON DIRECTOR OF THE PUBLIC WORKS DEPARTMENT. THE ITEM BEFORE YOU, ITEM 38 IS TO AWARD AN NEGOTIATION AND EXECUTION OF AN AMENDMENT TO A PROFESSIONAL SERVICES AGREEMENT WITH CAROLLO ENGINEERS. AND THIS IS FOR -- FOR PRELIMINARY SITE ASSESSMENT WORK ON THE ALTERNATE WATER TREATMENT PLANTSITE AND PROFESSIONAL PRELIMINARY ENGINEERING DESIGN FOR THE WATER TREATMENT PLANT 4 IN THE AMOUNT OF \$10 MILLION FOR A TOTAL CONTRACT AMOUNT OF -- OF A LITTLE OVER \$14 MILLION. RENALDO CANTU IS HERE TODAY IF YOU HAVE QUESTIONS SPECIFICALLY ON -- ON THE PLANT OR I'M HERE TO ANSWER QUESTIONS THAT YOU MIGHT HAVE ON THE CONTRACT.

AS IS JUAN GARZA, WHO IS ACTING ASSISTANT CITY MANAGER OVER THIS AREA.

Martinez: I DO HAVE A COUPLE OF QUESTIONS, MAYOR. I GUESS THE CONCERN THAT I HAVE IS WE ARE ABOUT TO AUTHORIZE BETWEEN 10 AND \$14 MILLION, BUT WE ARE STILL WAITING ON THE IMPACT ANALYSIS OF THE HABITAT ISSUE THAT WE ARE DEALING WITH ON THE SITE. I GUESS THE BIGGEST QUESTION THAT I HAVE IS DO THE TAXPAYERS LOSE MONEY IF WE COME BACK FROM A HABITAT STUDY AND FIND THAT WE CAN'T MITIGATE OR REMOVE THE BLACK CAP VIERO THAT EXISTS ON THAT SITE, ARE WE AUTHORIZING FUNDS TO BE SPENT NOW WITH THE POTENTIAL OF LOSING THAT EXPENDITURE AFTER THE STUDY COMES BACK?

Futrell: IF YOU COULD DO TWO THINGS FOR ME IN RESPONSE TO THIS. ONE I WOULD LIKE TO BE REALLY CLEAR WHAT WE ARE AND AREN'T WAITING ON. I WOULD LIKE TO TALK ABOUT WHAT THE MINOR AMENDMENT IS AND WHAT IT MEANS. THEN IF WE COULD SPEAK TO JUST THE COUNCILMEMBER'S PRIMARY QUESTION, WHICH IS BY AWARDED THE CONTRACT IF SOMETHING CHANGES IN THE FUTURE, DO WE LOSE DOLLARS. BY AWARDED IT NOW.

LET ME I THINK WILLIE CONRADT CAN ACTUALLY DO A MUCH BETTER JOB THAN I CAN IN EXPLAINING WHAT THE AMENDMENT IS ABOUT. HE HAS ACTUALLY WORKED WITH ALL OF THE -- ALL OF THE INTERESTED PARTIES IN FORMULATING THE LANGUAGE, INCLUDING FISH AND WILDLIFE, TO GET TO THE LANGUAGE THAT WE WOULD BRING TO YOU AT A FUTURE DATE. SO IF I COULD HAVE WILLIE STEP UP.

WELCOME, MR. CONRADT.

GOOD MORNING, MAYOR, COUNCILMEMBERS. WILLIE CONRADT WITH AUSTIN WATER UTILITY. I'M THE LAND MANAGER FOR THE CITY. COUNCILMEMBER MARTINEZ, ONE THING THAT WE ARE WAITING FOR RIGHT NOW IS GETTING SOME INFORMATION TO FISH AND WILDLIFE SERVICE FOR OUR REQUEST FOR A MINOR AMENDMENT TO OUR REGIONAL TECHNICAL PERMIT UNDER THE ENDANGERED SPECIES ACT. BASICALLY WHAT WE ARE ASKING TO DO AT THIS POINT IS TRANSFER A SPECIAL USE SITE DESIGNATION UNDER THE INFRASTRUCTURE MANAGEMENT PORTION OF OUR PERMIT AND HABITAT CONSERVATION PLAN FROM THE ORIGINAL 102-ACRE SITE TO THE CURRENT 45-ACRE SITE THAT WE ARE PROPOSING FOR THE NEW SITE FOR WATER TREATMENT PLANT NUMBER 4. BCCP ADVISORY COMMITTEE AND THE COORDINATING COMMITTEE HAVE MET ONCE ON THESE ISSUES. WE ARE SCHEDULED TO MEET AGAIN IN THE NEXT WEEK TO MOVE THIS FORWARD. WE HAVE BEEN ASKED FOR SOME MORE INFORMATION ABOUT THE ADVISORY COMMITTEES. OUR EXPECTATION AT THIS POINT IS THIS WILL LIKELY MOVE THROUGH. WE'VE HAD DISCUSSIONS WITH FISH AND WILD. WILDLIFE SERVICE, THEY HAVE TOLD US TWO THINGS. THEY CONCUR WITH OUR CURRENT ASSESSMENT THAT THIS MOVE WILL NOT RESULT

IN ADDITIONAL TAKE BEYOND WHAT'S ALREADY AUTHORIZED IN OUR PERMIT. THEREFORE WILL NOT REQUIRE A MAJOR AMENDMENT OF OUR PERMIT. INSTEAD IT WILL -- IT WILL REQUIRE A MINOR AMENDMENT, WHICH IS AN ADMINISTRATIVE ACTION, SIMPLY TRANSFERS THAT SITE DESIGNATION. TO THE QUESTION YOU WERE ASKING ABOUT THE SITE ASSESSMENTS AND IMPACT ANALYSIS OF WHAT WE ARE DOING. UNFORTUNATELY WITH THIS NEW SITE WE DON'T HAVE THE -- THE -- THE ADDED VALUE OF THE PREVIOUS WORK THAT WAS DONE ON THE ORIGINAL 102-ACRE SITE. AS YOU KNOW THAT SITE WAS -- WAS CONSIDERED FOR 20 YEARS OR MORE BEFORE WE -- BEFORE YOU MADE THAT DECISION TO -- TO MOVE TO THIS 45-ACRE SITE. SO AT THIS POINT, SOME OF THIS PRELIMINARY ENGINEERING IS CRITICAL FOR US TO UNDERSTAND HOW THE PLANT WILL FIT ON THE SITE, WHAT AREAS IT WILL IMPACT SO WE CAN MAKE DECISIONS ABOUT HOW THAT WILL AFFECT THE BLACK CAP VIREO SITE.

Futrell: I GUESS THE FIRST POINT BEING WILLIE IN ORDER TO MOVE FORWARD WITH WHAT THE COUNCIL ALREADY DIRECTED US TO DO, WE NEED THIS CONTRACT TO GET THAT WORK DONE.

YES, MA'AM, THAT'S ABSOLUTELY CORRECT.

Futrell: THEN SONDRAL CAN BE SPEAK TO THE PHASING OF THE CONTRACT, HOW WE ASSURE THAT WE WON'T LOSE VALUE BY ACTING OUT.

WHAT WE PLAN TO DO IS SEQUENCE THE PHASING OF THE CONTRACT SO THAT WE DON'T USE THE VALUE OF THE -- LOOSE THE VALUE OF THE -- LOSE THE VALUE OF THE INVESTMENT THAT YOU WOULD BE AUTHORIZING TODAY IF YOU DECIDE TO AUTHORIZE THAT. THERE ARE CERTAIN THINGS THAT NO MATTER WHAT SITE, WE WOULDN'T LOSE THAT VALUE BECAUSE THAT DESIGN IS PRETTY MUCH GOING TO STAY THE SAME. YOU KNOW, SUCH AS THE PROCESS AND THE INTAKE STRUCTURE AND THINGS LIKE THAT. SO THE -- THE STAFF ARE REALLY AWARE THAT THEY NEED TO BE VERY CAUTIOUS IN THE WAY THEY PROCEED UNTIL THOSE OTHER MATTERS ARE RESOLVED.

I HAD A QUESTION FOR WILLIE, I THINK HE MIGHT BE ABLE TO ANSWER IT. WHEN YOU TALKED ABOUT A SLIGHT AMENDMENT TO THE PERMIT, YOU SAID IT DOESN'T INCREASE THE TAKE. WHAT I WANTED TO ASK WAS IS THE TAKINGS FROM THIS SITE, WAS THE POTENTIAL OF ELIMINATING THAT HABITAT ALTOGETHER AND WHAT PLANS DO WE HAVE IN PLACE. IT'S MY UNDERSTANDING THAT WE ARE GOING TO WAIT UNTIL AFTER A CERTAIN DATE, UNTIL AFTER THE BLACK CAPPED VIREOS ARE GONE FOR THE SEASON, GO IN AND REMOVE THEIR HABITAT WITH THE HOPE THAT THEY -- WHEN THEY CAME BACK WE HAVE SOMETHING ELSE FOR THEM TO NEST IN?

YOU ARE ON THE RIGHT TRACK, BUT THAT'S NOT ENTIRELY CORRECT. AT THIS POINT, MY UNDERSTANDING OF THE -- OF THE PLANNING DESIGN AND CONSTRUCTION PHASING OF THIS WORK WILL BE SUCH THAT THE ACTUAL GROUND BREAKING FOR THE PLANTSITE IS NOT LIKELY TO OCCUR FOR ABOUT THREE YEARS AT THIS POINT. SO -- SO THERE WON'T BE AN IMMEDIATE DESTRUCTION OF THE HABITAT, BUT THERE WILL BE SOME ENGINEERING WORK GOING ON THERE, FOR INSTANCE, CORE DRILLING. OUR COMMITMENT FROM OUR ENGINEERING STAFF AND THE POTENTIAL CONTRACTORS IS THAT THEY ARE GOING TO WORK WITH US TO -- TO WORK AROUND THE HABITAT ISSUES AND AVOID THE DESTRUCTION OF HABITAT. HOWEVER, IN THE LONG TERM OF WHAT WE ARE PLANNING HERE, THERE IS GOING TO BE DESTRUCTION OF UP TO 45 ACRES OF THE 70-ACRE SITE THAT WE HAVE THERE NOW. I GUESS TO BE PERFECTLY HONEST, OUR STAFF IS SPLIT ON WHAT THE POTENTIAL OF THAT MAY BE. THERE'S ONE SIDE OF OUR STAFF THAT FEELS LIKE, YOU KNOW, WE HAVE A COLONY THERE WITH FIVE NESTING PAIRS OF BLACK CAPPED VIREOS RIGHT NOW. THEY FEEL THAT THAT ENTIRE COLONY MAY BE LOST. HOWEVER THE OTHER SIDE OF OUR STAFF FEELS LIKE THAT UP TO THREE OF THOSE PAIRS MAY MOVE ON TO ADJOINING AREAS THAT ARE NOT DISTURBED OR TO ADDITIONAL HABITAT THAT WE ALREADY HAVE RESTORED ON THAT 1700-ACRE TRACT THAT WE ARE DEALING WITH. SO -- SO, YOU KNOW, IT'S NOT CLEAR. I GUESS MY ADVICE TO THE BOARDS AND COMMISSIONS AT THIS POINT HAS BEEN THAT WITH RESPECT TO THE 45 ACRES, EVEN THOUGH WE ARE

PHASING THE PLANT IN, 50 MILLION-GALLONS NOW, ANOTHER 50 MILLION-GALLONS LATER, UP TO 300 MILLION GALLONS AT SOME POINT, AS I UNDERSTAND IT, UP TO -- TO 50 YEARS IN THE FUTURE, THAT 45-ACRE HABITAT LOSS WILL BE PHASED, ALSO, BUT MY ADVICE IS, YOU KNOW, WE ARE PLANNING TO TAKE 45-ACRES OUT OF OUR HABITAT BACK FOR THIS -- FOR THIS SITE RIGHT NOW. THAT'S A REALITY OF WHAT WE ARE DEALING WITH. I WISH IT WAS EASY TO -- EASIER TO ANSWER YOUR DIRECTLY AND SAY YEAH WE KNOW WHAT WILL HAPPEN WITH THESE BIRDS. I THINK MY ADVICE HAS ALWAYS BEEN WE SHOULD EXPECT THE WORST AND HOPE FOR THE BEST AS FAR AS THE FIVE NESTING PAIRS THAT WE ARE DEALING WITH.

ON THOSE FIVE COLONIES THAT YOU MENTION THAT STAFF IS POLITICAL.IS SPLIT ON, IS THAT PART OF THE TAKINGS PERMIT THAT IS ALLOWABLE.

YES, SIR. IF YOU READ OUR PERMIT, WE HAVE DISCUSSED WITH FISH AND WILDLIFE AND GOTTEN THEIR FEEDBACK ON IT. OUR PERMIT AUTHORIZES UP TO A THOUSAND ACRES OF HABITAT, BLACK CAPPED VIREO TAKE IN WESTERN TRAVIS COUNTY. THE PERMIT IN THE HABITAT CONSERVATION PLAN DO NOT DESIGNATE SPECIFICALLY WHERE THAT TAKE MAY OR MAY NOT OCCUR. FURTHERMORE IT DOES NOT SAY WHERE HABITAT MUST BE PROTECTED OR NOT PROTECTED. IT HAS VERY GENERAL LANGUAGE THAT DESCRIBES AN AREA ALONG HIGHWAY 620 SOUTH OF FOUR POINTS, WHICH IS THIS GENERAL AREA THAT WE'RE TALKING ABOUT, WHERE HABITAT IS EXPECTED TO BE LOST OVER TIME. BUT IT DOESN'T SPECIFY THAT IT'S THIS SITE. WE ARE IN THAT GENERAL AREA. OUR DISCUSSIONS ARE THAT THESE 45 ACRES ARE CONSIDERED PART OF THE AUTHORIZED TAKE THAT WAS ALLOWED IN OUR FEDERAL PERMIT.

Martinez: ARE WE PLANNING ON ATTEMPTING TO CREATE ADDITIONAL NESTING PRIOR TO THE TEATION TAKINGS OR ARE WE GOING TO ELIMINATE THE HABITAT AND TRY TO CREATE SOMETHING AT A LATER DATE?

WE ARE ACTUALLY ACTIVELY INVOLVED IN HABITAT RESTORATION RIGHT NOW. I HAVE TO TAKE A MANUSCRIPT AND MAKE A BIT OF DISTINCTION AND TERMINOLOGY HERE.

WE ARE RESTORING AND CREATING HABITAT THAT -- THAT -- THAT I CAN'T -- I CAN'T STAND HERE AND HONESTLY SWEAR TO YOU THAT THE BIRDS ARE GOING TO MOVE IN WHEN WE CREATE IT. WE'VE HAD EXPERIENCE YOU KNOW THE CITY OF AUSTIN BCP, I'M GOING TO BRAG ON MY PROGRAM AND MY STAFF A LITTLE BIT. WE'VE THE ONE EXPERIENCE IN BCP WHERE BRAND NEW HABITAT WAS CREATED AND RESTORED. WE TOOK OVER A PROJECT STARTED BY THE RIVER PLACE M.U.D. 11 YEARS AGO. THEY ACTUALLY WENT IN AND DID THE FIRST HABITAT MANIPULATION ON THIS SITE. BUT IT WAS SUCCESSFUL, THE BIRDS NEVER OCCUPIED IT. BEGINNING IN 1999 AND 2000, OUR STAFF WENT IN AND STARTED REMANIPULATING THE HABITAT, DOING PLANTINGS, ENHANCEMENTS TO BETTER THAT HABITAT AND IN 2000 THE FIRST BIRDS OCCUPIED THAT SITE. HABITAT RESTORATION IS AS MUCH AN ART AS IT IS A SCIENCE. BUT WE HAVE THE ONE SUCCESS WHERE NEW HABITAT WAS CREATED. WE THINK THAT WE CAN DO IT AGAIN. IT'S TOUGH, IT'S NOT EASY. I CAN'T PROMISE YOU THAT ANYTHING WE CREATE WILL BE OCCUPIED. BUT MY STAFF IS GOOD AT WHAT THEY DO. WE ARE OPTIMISTIC.

Martinez: THANK YOU.

Futrell: I GUESS JUST IN SUMMARY, WILLIE, THAT IS EXACTLY WHAT MITIGATION IS ABOUT. THE REASON WE ARE TALKING ABOUT 10 TO ONE, PUTTING MONEY IN THE BUDGET TO DO ADDITIONAL WORK IN THE BCP HABITAT RESTORATION, THE REASON THE PERMIT ALWAYS CONTEMPLATED THAT THERE WOULD BE SOME TAKE THAT WOULD OCCUR, BUT WE WOULDN'T BE HERE TALKING ABOUT MITIGATION IF WE WEREN'T TRYING TO WORK THROUGH ALL OF THOSE DIFFERENT ISSUES IN THE PERMIT. THAT THERE COULD BE TAKE AT SOME POINT UP TO SOME AMOUNT, CONTEMPLATED IN THE PERMIT, THAT WE RESTORE HABITAT, THAT WE HAVE RESOURCES TO RESTORE HABITAT AND THAT WE ARE TALKING ABOUT MITIGATION FOR THE 45 ACRES. A SIGNIFICANT MITIGATION.

I FAILED TO ANSWER ONE PART OF YOUR QUESTION. WE -- WE PLAN TO DO THIS RESTORATION BEFORE PLANT CONSTRUCTION STARTS. WE HAVE COMMITTED TO 400 ACRES, WE WON'T HAVE ALL OF THAT DONE BEFORE PLANT

CONSTRUCTION STARTS. WE CURRENTLY HAVE A CONTRACT SCOPE OUT FOR BID RIGHT NOW FOR 70 ACRES IN THE CYPRESS CREEK SITE. I HAVE GOT MY STAFF WORKING TODAY FEVERISHLY TO DEVELOP PLANS FOR THAT TOTAL 400 ACRES THAT WE COMMITTED TO SO THAT BY THE TIME -- BY THE TIME ITEM NO. 8 COMES BACK ON THE 10th, WE WILL HAVE A FIRM, WRITTEN PLAN FOR YOU ON HOW WE ARE GOING TO GET TO THAT 400 ACRES.

WHAT IS THE -- I DIDN'T KNOW IF YOU HAD A QUESTION. WHAT'S THE TEXASTY PROXIMATETY OF CYPRESS?

IT STARTS IMMEDIATELY ACROSS THE ROAD FROM WHERE WE ARE. OUR SITE IS ACTUALLY UP CLOSE TO THE CITY LIMITS OF CEDAR PARK, WHICH PUTS IT 10 MILES NORTHWEST OF THE CURRENT SITE.

Mayor Wynn: COUNCILMEMBER LEFFINGWELL?

I JUST AND THE TO CLARIFY MY UNDERSTANDING -- WANT TO CLARIFY MY UNDERSTANDING. THIS IS AUTHORIZING PRELIMINARY ENGINEERING WORK THAT WOULD BE GENERALLY APPLICABLE WITHOUT REGARD TO SOME FUTURE MINOR CHANGES THAT MIGHT BE MADE AS FAR AS LOCATION AND MINOR CHANGES IN LOCATION AND MITIGATION. IS THAT CORRECT?

YES, SIR, THAT'S CORRECT.

OKAY. SO -- SO WHAT WE ARE -- THE ITEM OF CONCERN THAT WE ARE TALKING ABOUT HERE, THAT HAS TO DO WITH TAKE, OF AN ENDANGERED SPECIES, WHAT MITIGATION IS APPROPRIATE AND NECESSARY IS WHAT THE MORE -- THE MORE PERTINENT TO ITEM NO. 8, WHICH HAS BEEN POSTPONED UNTIL AUGUST 10th, PENDING RECOMMENDATION, PRESENTATION TO THE ENVIRONMENTAL BOARD, THE CITIZENS ADVISORY COMMITTEE AND THE SCIENTIFIC ADVISORY COMMITTEE TO THE BALCONES COORDINATING COMMITTEE AND THEIR SUBSEQUENT RECOMMENDATION. ALL OF THAT WILL GO INTO THESE DISCUSSIONS ABOUT WHAT IS APPROPRIATE AS FAR AS MITIGATION ON THIS PARTICULAR SITE. SO I THINK WE ARE DOING THE RIGHT THING, WE ARE GOING AHEAD

WITH THE PRELIMINARY ENGINEERING WORK AND WAITING TO HEAR FROM OUR CITIZENS BOARDS AND COMMISSIONS BEFORE GOING AHEAD WITH THE FORMAL APPLICATION TO U.S. FISH AND WILDLIFE FOR THE MINOR AMENDMENT TO THE PERMIT. IS ALL OF THAT CORRECT?

Futrell: THAT'S ALL CORRECT, COUNCILMEMBER. I BELIEVE OUR MEETING ACTUALLY WE ARE TRYING TO DO A COMBINED MEETING TO BE SURE THAT WE GET ALL QUESTIONS ANSWERED AND ALL OF THE INFORMATION PRESENTED. I BELIEVE THAT'S SET UP FOR THE 2nd. AUGUST 2nd.

THANK YOU. COUNCILMEMBER KIM?

Kim: WELL, MY UNDERSTANDING ABOUT THE BLACK CAPPED VIREO IS THAT IT'S ON HABITAT THAT IS QUITE RARE AND THAT THE ONLY MAJOR HABITAT IS ON FORT HOOD. IS THAT TRUE?

I WILL START MY ANSWER ON THAT AND THEN I MIGHT ASK LISA O'DONNELL TO JOIN US, ACTUALLY THE BALCONES CANYONLAND PRESERVES IS ON THE FAR EASTERN EDGE OF THE NATIVE RANGE FOR BLACK CAPPED VIREOS. OBVIOUSLY IT'S LISTED AS AN ENDANGER DANGERRED SPECIES SO ITS POPULATION IS LIMITED. BUT WE MANAGE JUST A VERY SMALL SEGMENT OF THE EXISTING REMAINING POPULATION. PERHAPS LISA CAN ANSWER YOUR QUESTION MORE DIRECTLY.

GOOD MORNING, MY NAME IS LISA O'DONNELL, I HAVE TO APOLOGIZE I JUST GOT NOTICE OF THE MEETING. I HAVE BEEN WORKING FOR THE CITY OF AUSTIN FOR THE LAST FIVE YEARS MAINLY WITH THE SALAMANDERS, BEFORE THAT I WORKED FOR 10 YEARS FOR THE U.S. FISH AND WILDLIFE SERVICE. SO I HAVE WORKED BIRDS QUITE A BIT. BEFORE THAT I WORKED FOR ON A CONSULTING FIRM STUDYING BLACK CAPPED VIREOS AND GOLDEN CHEEKED WARBLERS FOR FOUR YEARS, ALMOST 19 YEARS NOW WITH ENDANGERED SPECIES IN THE AUSTIN AREA. ANCE TO THE QUESTION ON THE BLACK CAPPED VIREO, IT CURRENTLY THE NESTING RANGINGS FROM OKLAHOMA THROUGH TEXAS AND DOWN INTO MEXICO. BIG POPULATIONS IN TEXAS

INCLUDE FORT HOOD, THE KERR WILDLIFE MANAGEMENT AREA, SOME SCATTERED POPULATIONS BETWEEN THOSE AND DOWN INTO BIG BEND AND THEN IT GOES ON DOWN INTO MEXICO.

Kim: THE REASON WHY I BRING THAT UP IS BECAUSE THERE DOESN'T SEEM TO BE THAT MUCH CLUSTERED HABITAT FOR THE BLACK CAPPED VIREO IN TEXAS AND WE DO HAVE PEOPLE WHO COME TO TEXAS AND TO AUSTIN, THE HILL COUNTRY AREA, TO LOOK AT BIRDS. IT'S A RATHER ROBUST INDUSTRY, THE BIRDING INDUSTRY. SO TOURISM, TRAVEL, HAS IS TIED TO OUR ECONOMY HERE. FORT HOOD, PEOPLE MAY NOT KNOW, SINCE IT'S A MILITARY INSTALLATION EXEMPT FROM THE ENDANGERED SPECIES ACT, THEY CAN DO WHATEVER THEY WANT, THEY COULDER..ER ERADICATE IT. THAT'S WHY IT'S VERY IMPORTANT THAT WE DON'T CUT CORNERS, TAKE THE TIME. NOT JUST FOR THE ECONOMY BUT ALSO FOR STEWARDS OF OUR ENVIRONMENT. INO CARRIERRINGCONNECT 57600

I DON'T FEEL THAT -- THAT THAT HAS HAPPENED. I WOULD ENCOURAGE THE CITY COUNCIL TO DELAY THIS ITEM A BIT. TO WORK OUT A WAY THAT YOU CAN REDUCE THE 10 MILLION. SHOW US THE -- WHAT WE GOT FOR ONE MILLION. AND DEVISE A SMALLER AMOUNT RIGHT NOW TO WORK ON THE -- THE ALTERNATE SITE ISSUES, THE ENVIRONMENTAL ASSESSMENT THAT WE DON'T HAVE. SEEMS TO ME THAT WE WERE DOING VERY WELL WITH THE COMMUNICATIONS BETWEEN MAY AND AUGUST OF 2005. AND THEN, YOU KNOW, EVERYTHING WAS PUT UNDER A BLACK COVER AND WE COULDN'T GET ANY INFORMATION. AND I CERTAINLY DIDN'T SEE THE -- THE MITIGATION ALTERNATE SITE REPORT FROM PLUMBER, WHICH IS DATED SEPTEMBER '05 AND I JUST GOT IT THIS WEEK. FROM A MEMBER OF THE ENVIRONMENTAL BOARD. AND -- AND I DON'T SEE WHY IT WAS DELAYED FROM SEPTEMBER '05 UNTIL AFTER THE COUNCIL MADE ITS DECISION ON THE ALTERNATE SITE. AS FAR AS I KNOW, THAT ALTERNATE SITE ANALYSIS WAS NOT PRESENTED TO ANY BOARDS AND COMMISSIONS PRIOR TO COUNCIL ACTION ON JUNE THE 22nd, SO I -- PLEASE URGE YOU TO POSTPONE THIS TO DEVISE A WAY TO APPROACH THIS AND GIVE US WHAT HAPPENED WITH THIS ONE-PAGE SCOPE THAT COROLLA WAS SUPPOSED TO DO WITH THE \$1 MILLION,

THANK YOU VERY MUCH.

THANK YOU, MS. AROUND.

IF I COULD JUST ADDRESS A FEW THINGS QUICKLY. AS YOU KNOW WE'VE HAD SEVERAL CHANGES IN DIRECTION, WHICH IS WHY THERE APPEARS TO BE SOME CONFUSION OVER TIME LINES. YOU ARE CORRECT, THERE WERE A SERIES OF PRODUCTS AND WORK THAT WAS GOING TO GO ON. AT THIS POINTS WE WERE LOOKING AT THE OLD SITE ON WATER TREATMENT PLANT 4. ONE OF THOSE PRODUCTS WITH THE ALTERNATIVE SITE ASSESSMENT, ONE WAS WATER CONSERVATION, IT HAS BEEN PRESENTED PUBLICLY HERE AT THE COUNCIL. I GUESS ABOUT A MONTH AGO, A LITTLE LESS THAN A MONTH AGO. THEN ALSO THE ENVIRONMENTAL CONSIDERATION WORK, ACTUALLY A COMMUNICATION PLAN AS PART OF THAT. WHY THE WORK SLOWED AND STOPPED IN MAY, IF THERE WAS A CHANGE OF DIRECTION, FROM THE COUNCIL IN MAY, TO LOOK AT GOING FIRST WITH GREEN, SO THAT REPORT FROZE AT THIS POINTS IN TIME. THEY DID COME BACK WHEN THE -- WHEN THE CHANGES OF DIRECTION MOVED AGAIN BACK TO THE LAKE TRAVIS PLAN. THEY FINISHED THAT REPORT WITH A MORE UPDATED SUPPLEMENT. SOME OF THAT WORK WAS INVOLVED IN THE REAL ESTATE DISCUSSION THAT HAPPENED IN EXECUTIVE SESSION. BUT THAT REPORT IS NOW OUT WITH THE SUPPLEMENT. IF THERE'S ANYTHING THAT YOU CAN ADD TO THAT. EXACTLY HOW THE MONEY WAS SPENT, THE RESULTS, WHEN THEY WERE SPENT, WHAT QUESTIONS WERE ADDRESSED, I'M HOPING TO HAVE IT COMPLETED IN TIME FOR OUR MEETING ON THE SECOND.

I THINK THE GOAL THERE IS SIMPLY BECAUSE WE HAVE MOVED DIRECTIONS THREE TIMES AND IN THIS YOU ARE GOING TO SEE STOPS AND STARTS AND IN GAPS AND TIME LINES, NOT FROM THE CONSULTANT'S PERSPECTIVE, BUT FROM OUR PERSPECTIVE AND WHAT OUR DIRECTION IS GOING TO BE.

Mayor Wynn: FURTHER COMMENTS, QUESTIONS?

Cole: I HAD A QUESTION FOR STAFF. ARE WE PLANNING ANY STAKEHOLDER MEETINGS OR GOING THROUGH BOARDS

AND COMMISSIONS ABOUT THE CHOSEN SITE THAT WE HAVE IN ENVIRONMENTAL MITIGATION ON THOSE AS WELL UNION THE MITIGATION REPORT -- YOU KNOW, THE MITIGATION REPORTS AND THE WATER CONSERVATION.

Futrell: YES. SOME OF THOSE ARE ON SEPARATE PATHS, BUT LET ME START WITH THE ALTERNATE SITE ISSUE. MITIGATION IS TO A SITE WE ARE NO LONGER LOOKING AT. NOW WE ARE LOOKING AT A DIFFERENT SITE FOR THAT ISSUE. YOU ARE GOING TO SEE ODD STOPS AND STARTS BECAUSE WE HAVE MOVED OUR OWN DIRECTION AROUND ON THE -- ON THE ALTERNATIVE SITE, SET UP FOR AUGUST 2nd, IS A COMBINED MEETING WITH SEVERAL ADVISORY GROUPS, ENVIRONMENTAL BOARD, TO GO OVER BOTH OF THESE TIME LINES, VERY SPECIFICALLY THE ALTERNATIVE SITE ASSESSMENT, WHICH IS NOW RELEASED. LET THEM COME BACK AND DO PRESENTATION AND ANSWER QUESTIONS ABOUT IT. THE COMMUNICATION PLAN OBVIOUSLY HAS TO BE GEARED TOWARDS WHAT DIRECTION WE ARE HEADED AND WE HAVE CHANGED DIRECTIONS HERE. THAT REPORT IS OUT. IT HAS AN ACTION PLAN, A VERY EXTENSIVE STAKEHOLDER PARTICIPATION OVER THE NEXT SIX MONTHS, COMES BACK TO COUNCIL FOR YOU TO SIGN-OFF ON.

Cole: THANK YOU.

Mayor Wynn: FURTHER COMMENTS, QUESTIONS ON ITEM 38? IF NOT I'LL ENTERTAIN A MOTION.

ARE.

Dunkerly: I WOULD MOVE APPROVAL.

Cole: SECOND.

Mayor Wynn: MOTION MADE BY MAYOR PRO TEM DUNKERLY, SECONDED BY COUNCILMEMBER COLE TO APPROVE ITEM NO. 38. FURTHER COMMENTS? COUNCILMEMBER KIM?

Kim: MAYOR AND COUNCIL, I DON'T BELIEVE THIS IS THE RIGHT DIRECTION WE NEED TO BE GOING IN. AND FOR A NUMBER OF REASONS I STATED LAST TIME, NOT GOING TO

REITERATE THOSE, PLEASE JUST SHOW ME ABSTAINING FROM THIS VOTE.

Mayor Wynn: THANK YOU.

Martinez: MAYOR I THINK REQUESTING A MINIMUM TWO WEEK DELAY TO GET MORE OF A SCOPE OF ACTIVITY, FROM THE FIRST MILLION, NOW WHAT THEY ARE GOING TO DO WITH 10 MILLION-DOLLARS IS NOT UNREASONABLE, ESPECIALLY FOR THE TAXPAYERS, I WILL BE VOTING NO ON THIS MOTION.

Mayor Wynn: THANK YOU, FURTHER COMMENTS, MOTION AND SECOND ON THE TABLE. HEARING NONE, ALL THOSE IN FAVOR PLEASE SAY AYE.

AYE.

Wynn: OPPOSED?

NO.

Mayor Wynn: MOTION PASSES ON A VOTE OF 5-1 WITH COUNCILMEMBER MARTINEZ VOTING NO AND COUNCILMEMBER KIM ABSTAINING. THANK YOU ALL. COUNCIL THAT TAKES US TO ITEM NO. 83, WHICH IS CONSIDERATION OF A FLOODPLAIN VARIANCE. WELCOME, MR. GEORGE OSWALT.

MAYOR, COUNCIL, GEORGE OSWALT, WATERSHED PROTECTION AND DEVELOPMENT REVIEW. THIS PARTICULAR VARIANCE REQUEST, THE -- THE PUBLIC HEARING FOR IT WAS CONDUCTED ON MAY 18th, DURING THAT HEARING THE COUNCIL ELECTED TO NOT MAKE A DECISION ON THE VARIANCE BECAUSE ANOTHER VARIANCE, VERY CLOSE BY, WAS PENDING AT 1605 HOUSTON STREET. THE -- THE COUNCIL CONDUCTED THE VARIANCE ON THE 1605 REQUEST ON JUNE 22nd AND GRANTED THE VARIANCE. PART OF THAT PROPOSAL IS TO -- TO CONSTRUCT A FLOOD BYPASS CHANNEL THAT WOULD REDUCE THE FLOODPLAIN EXTENT NOT ONLY AT 1605, BUT ALSO AT 1610. THE APPLICANT AT 1605 HAVE TALKED TO THEIR -- I HAVE TALKED TO THEIR AGENT RECENTLY, I GOT AN UPDATE YESTERDAY. THE PROPOSAL FOR THEIR CONSTRUCTION IS TO HAVE IT

COMPLETELY BY NOVEMBER OF 2007. AGAIN THIS ISN'T A CITY PROJECT. THIS IS A PRIVATE PROJECT. THAT'S THE BEST INFORMATION THAT WE HAVE TO DATE. WE HAVE RECOMMENDED DENIAL OF THE VARIANCE AT 1610 BECAUSE OF SAFETY OF ACCESS. THERE'S A FOOT OF WATER AROUND THE HOUSE DURING A 100 YEAR EVENT. 1.8 FEET DEEP IN THE STREET LIMITING ACCESS BY FIRST RESPONDERS. THAT'S WHERE WE ARE TODAY ON THIS.

THANK YOU, MR. OSWALD. QUESTIONS, COMMENTS, COUNCILMEMBER LEFFINGWELL?

Leffingwell: SO, MR. OSWALD, YOU ARE RECOMMENDING DENIAL BECAUSE THE WORK HAS NOT ACTUALLY BEEN COMPLETED, IS THAT CORRECT?

THAT'S CORRECT.

Leffingwell: BUT IF THE WORK WERE COMPLETED RIGHT NOW YOU WOULD BE RECOMMENDING APPROVAL.

THAT'S CORRECT.

Leffingwell: SO YOU HAVE A LETTER OF INTENT, THE VARIANCE FOR 1605 ALREADY BEEN APPROVED, YOU HAVE A LETTER OF INTENT FROM THE OWNER OF 1605, AND YOU ANTICIPATE -- HE ANTICIPATES COMPLETION BY NOVEMBER OF SOMETHING.

'07, CORRECT.

Leffingwell: NOVEMBER '07 WHICH IS A YEAR FROM NOW.

RIGHT.

Leffingwell: OKAY. THANK YOU.

Mayor Wynn: COMMENTS, QUESTIONS? ACTUALLY THERE'S A -
- A PROCEDURAL QUESTION, MR. OSWALD OR MR. SMITH. SEEMS LIKE WE NORMALLY HAVE THESE AS PUBLIC HEARINGS WHEN WE HAVE A FLOODPLAIN VARIANCE, THIS ONE WAS JUST LISTED POTENTIALLY ON OUR CONSENT

AGENDA. IS THERE A -- A REASON FOR THAT?

I DON'T KNOW THIS HAPPENED.

Mayor Wynn: WE HAVE CONDUCTED THIS PUBLIC HEARING SEVERAL TIMES IF I REMEMBER?

MAYOR, THE PUBLIC HEARING WAS CONDUCTED BUT THE -- BUT THE DECISION WAS CONTINUED IS MY UNDERSTANDING.

Mayor Wynn: OKAY. THAT MAKES SENSE, THANK YOU.

Leffingwell: MY RECOLLECTION IS THAT WE -- WITH WE HEARD THIS LAST TIME, WE HADN'T CONDUCT -- WE HAD CONDUCTED THE PUBLIC HEARING AND VOTED TO POSTPONE UNTIL AFTER THE 1605 VARIANCE WAS APPROVED.

RIGHT. [ONE MOMENT PLEASE FOR CHANGE IN CAPTIONERS] ... THE PROJECT WAS UNDERWAY AT LEAST TO -- TO EFFECTIVELY REMOVE 1610 FROM THE FLOOD PLAIN, AS I UNDERSTAND IT. AND WHILE THIS ISN'T A PERFECT SOLUTION AND I THOROUGHLY UNDERSTAND STAFF'S RECOMMENDATION BASED ON THE WORK IS NOT YET COMPLETED, I PERSONALLY DON'T THINK IT'S GOING TO RAIN BEFORE NOVEMBER OF 2007 SO I'M COMFORTABLE IN MAKING A MOTION FOR APPROVAL.

Mayor Wynn: MOTION MADE BY COUNCILMEMBER LEFFINGWELL, SECONDED BY COUNCILMEMBER McCRACKEN TO APPROVED THE VARIANCE ITEM NUMBER 83. FURTHER COMMENTS? HEARING NONE, ALL THOSE IN FAVOR SAY AYE. OPPOSED? MOTION PASSES ON A VOTE OF 7-0. THANK YOU ALL VERY MUCH. SO COUNCIL, I THINK THAT CONCLUDES OUR POTENTIAL DISCUSSION ITEMS PRIOR TO AN EXECUTIVE SESSION. SO WITHOUT OBJECTION, WE WILL GO INTO CLOSED SESSION PURSUANT TO SECTION 551.071 OF THE OPEN MEETINGS ACT TO POTENTIALLY DISCUSS ITEM NUMBER 102 AND ITEM NUMBER 104, 104 BEING RELATED TO ITEM 93 WHICH WE STILL WILL TAKE UP AS A DISCUSSION ITEM AT SOME POINT. WE ALSO MAY TAKE UP ITEM NUMBER 103 REGARDING A REAL ESTATE MATTER AND THAT WOULD BE PURSUANT TO SECTION 551.072 OF THE OPEN MEETINGS

ACT. I ANTICIPATE US BEING IN CLOSED SESSION APPROXIMATELY UNTIL OUR NOON GENERAL CITIZEN COMMUNICATION. WE ARE NOW IN CLOSED SESSION. THANK YOU.

Mayor Wynn: WE ARE OUT OF CLOSED SESSION. IN EXECUTIVE SESSION WE TOOK UP ITEM NUMBER 104 RELATED TO RED LIGHT CAMERAS, AND WE ALSO IN CLOSED SESSION DISCUSSED REAL ESTATE MATTER 103 RELATED TO GREEN WAY DESTINATION PARK ACQUISITION. WE'LL NOW GO TO OUR CITIZEN COMMUNICATION. FIND MY LIST. AT THIS TIME WE'LL HAVE OUR GENERAL CITIZEN COMMUNICATION. OUR FIRST SPEAK IS JEANNIE RAMIREZ. WELCOME. YOU WILL HAVE THREE MINUTES. YOU WILL BE FOLLOWED BY JOHN GOLDSTONE.

HI, COUNCIL. MY DAUGHTER IS HERE AND SHE'S NOT GOING TO SPEAK. I WANT TO KNOW IF I COULD GET HER THREE MINUTES TO SPEAK OUT.

Mayor Wynn: GIVE YOUR DAUGHTER YOUR THREE MINUTES?

NO, I WANT TO KNOW IF SHE CAN GIVE ME HER THREE MINUTES. HER NAME IS CRYSTAL RAMIREZ.

Mayor Wynn: OUR GENERAL CITIZEN COMMUNICATION RULES, WE ALLOCATE 10 THREE-MINUTE SEGMENTS. SO --

IT'S BEEN A COUPLE YEARS.

Mayor Wynn: WE... YOU WOULD HAVE TO SHARE THAT THREE MINUTES.

ONLY THREE MINUTES SO EVEN THOUGH SHE IS NOT GOING TO SPEAK, I CAN'T GET HER THREE MINUTES.

Mayor Wynn: NO.

WOW. I'M NOT GOING TO BE ABLE TO DO EVERYTHING. I DID THIS LAST TIME AT CITIZENS COMMUNICATION, I WAS ABLE TO GET HER THREE MINUTES WHEN SHE CAME WITH ME.

Mayor Wynn: I MAYBE DIDN'T UNDERSTAND WHAT YOU WERE

SAYING. IS SHE SIGNED UP TO SPEAK?

SHE'S THE SECOND SPEAKER.

Mayor Wynn: YES, YOU MAY HAVE SIX MINUTES.

I STILL MAY GO OVER. I'M NOT AS PREPARED. THERE SHE IS.

Mayor Wynn: WELCOME.

LET ME KNOW WHEN I CAN START. MY NAME IS JEANNIE RAMIREZ, AND I'M AN ANIMAL ACTIVIST IN AUSTIN. THIS YEAR WAS THE SECOND YEAR I DID ANIMAL WATCH AT... AT RINGLING BROTHERS AND BASICALLY ANIMAL WATCH IS GOING IN THE EVENINGS WHEN I GET OFF WORK AND TAKING PICTURES OF ALL THE ANIMALS AND GETTING TO WATCH THE ANIMALS WALK FROM THE PARKING LOT TO INSIDE THE FRANK ERWIN CENTER. AND YOU GET A BETTER LOOK AT THE WELFARE OF THE ANIMALS, THE -- YOU KNOW, JUST HOW THEY ARE LOOKING AND, YOU KNOW, I DO THAT. THIS WAS MY SECOND YEAR TO DO THIS, AND I ALSO DO THE ELEPHANT WALK. A LOT OF MAYBE CITIZENS DON'T KNOW THAT -- THE WAY TO GET THE ANIMALS FROM THE RAILROAD TRACKS, THEY HAVE TO WALK THEM TO THE FRANK ERWIN CENTER. AND ON THE WALK BACK, ON JULY 2, I WITNESSED ANIMAL ABUSE. SEVERAL PEOPLE WITNESSED IT. AND THEN WHEN WE GOT TO THE RAILROAD TRACKS, WE IMMEDIATELY CALLED 311, ANIMAL CONTROL, AND, YOU KNOW, TO MAKE A REPORT SO THEY COULD COME CHECK THE WELFARE OF THE ELEPHANT. AND BASICALLY NO ANIMAL CONTROL OFFICER CAME OUT THERE AND WHEN WE TRIED TO MAKE, YOU KNOW, REPORT WITH THE POLICE, THERE WERE SEVERAL POLICE OFFICERS THAT WERE ACTUALLY AT THE TRAIN AREA, I GUESS THE TRAIN GARAGE OR WHATEVER YOU CALL THAT, BUT THEY DID NOT WANT TO TAKE A REPORT. THEY SAID THEY WERE OFF DUTY AND I GUESS THEY WERE DOING, LIKE, SECURITY FOR RINGLING BROTHERS, SO IT REALLY FELT LIKE, YOU KNOW, I TALKED TO THE SUPERVISOR, ONE OF THE SERGEANTS THAT I MADE A COMPLAINT ABOUT BECAUSE I FELT THEY WERE NOT TAKING THE COMPLAINT SERIOUS, AND ANIMAL CONTROL DIDN'T TAKE THE COMPLAINT SERIOUS. THEY JUST THOUGHT WE WERE A BUNCH OF CRAZY ACTIVISTS IS WHAT IT LOOKED

LIKE TO ME. AND THE POLICE -- THAT'S IT? OH, OKAY. GOSH. THE POLICE OFFICER SAID WE WOULD HAVE TO CALL 911, WHEN THEY WERE ACTUALLY RIGHT THERE AT THE SITE. THEY COULD HAVE TAKEN PICTURES OF THE ELEPHANT. THERE WERE EIGHT WITNESSES. ALL OF US WERE DIFFERENT BACKGROUNDS. NOT EVERYBODY WAS TOGETHER. THERE WERE SEVERAL WITNESSES THAT WERE WITH DIFFERENT ORGANIZATIONS. THEY HAVE FILM FOOTAGE WHICH WAS CONFISCATED BY THE POLICE OFFICER THAT TOOK AN HOUR LATER TO GET THERE. I WAS REALLY SPEAKING OUT ON ANIMAL CONTROL BECAUSE I FELT LIKE WHY DIDN'T THEY COME OUT. THEY JUST SEEMED SHOCK PEOPLE WERE CALLING ABOUT ABUSE WITH AN ELEPHANT. GUYS, THERE'S A LOT OF RETRIBUTION THAT CAN HAPPEN WITH AN ELEPHANT THAT'S ABUSED AND THEY ARE WALKING ON THE PUBLIC STREET FROM -- IT'S A 2.5-MILE WALK. AND THE ELEPHANT COULD HAVE GOTTEN OUT OF CONTROL BECAUSE IT WAS BEING ABUSED. THE ACTIVISTS HAD FOOTAGE OF IT. I WITNESSED IT. I WAS TELLING 10 FEET FROM THE SECOND ELEPHANT. THERE WERE 10 ELEPHANTS ON THIS WALK. ALSO THE OTHER ANIMALS, THE DONKEYS THE HORSES. THIS HAS BEEN DOCUMENTED OTHER CITIES WHERE AN ELEPHANT HAS GOTTEN OUT OF CONTROL, SO THE CITY IS GOING TO BE RESPONSIBLE. THEY DON'T, YOU KNOW, MAKE, YOU KNOW, FILE COMPLAINTS, I MEAN DON'T TAKE COMPLAINTS SERIOUSLY, I SHOULD SAY, WHEN A CITIZEN MAKES A COMPLAINT, CALLS ANIMAL CONTROL AND TOLD TO CALL 911 I FEEL IT FALL INTO THE POCKETS OF RINGLING BROTHERS. I NOT ONLY AM AN ANIMAL ACTIVIST. I DON'T WANT YOU OR THE COMMUNITY OR ANYONE ON THE PANEL TO THINK ONLY. -- WE'RE EXTREME PEOPLE. I CARE ABOUT HOMELESSNESS, WHAT'S GOING ON IN ISRAEL AND LEBANON. AND I PRAY THIS CITY NEVER ADAPTS ORDINANCES LIKE THEY DID IN VEGAS WHERE YOU CAN'T EVEN FEED A HOMELESS PERSON. BUT BASICALLY TO ME I LOVE ANIMALS. I CARE ABOUT ANIMALS. I DO THIS. AND PEOPLE TRY TO SAY IT'S A LUXURY, PEOPLE WHO HAVE MONEY THAT CAN DO ANIMAL WATCH OR ANIMAL ACTIVISM. THAT'S NOT TRUE. I MAKE LESS THAN \$15,000 A YEAR AND I THINK UNDER I.R.S. BRACKETS THAT'S CONSIDERED POOR. SO, YOU KNOW, I JUST REALLY FEEL THAT, I DID MAKE A

REPORT THE DAY IT HAPPENED, AND REVISED IT A LITTLE LAST NIGHT. IT'S MORE DETAIL. I WANT TO GIVE A COPY FOR ALL OF YOU ALL SO YOU CAN SEE EXACTLY READ WHAT HAPPENED, YOU KNOW, AS FAR AS THE WAY I FEEL THE FACTS WERE AND JUST MY EXPERIENCES. I THINK THIS IS A SERIOUS ISSUE. RINGLING BROTHERS IS NOT -- THEY NEED TO BE HELD ACCOUNTABLE. I WAS ALSO SEXUALLY HARASSED. THERE WAS ANOTHER LADY SEXUALLY HARASSED THE FEW DAYS THEY WERE HERE. I DID MAKE A REPORT WITH THE UNIVERSITY POLICE, AND I HAVE EVERY RIGHT AS A WOMAN TO BE TAKING PICTURES AND WATCHING ANIMALS AT THE RINGLING BROTHERS WHEN THEY ARE WALKING THEM FROM THE PUBLIC PARKING -- WELL, THE PARKING LOT AT UNIVERSITY OF TEXAS GOING INTO THE FRANK ERWIN CENTER AND I DON'T NEED TO BE SEXUALLY HARASSED BY TRAINERS. THEY NEED TO BE HELD ACCOUNTABLE WHEN THEY ARE IN OUR CITY. I COULDN'T GET AHOLD OF ANY SUPERVISORS FROM ANIMAL CONTROL. NO ONE WOULD CALL ME BACK. THE DISPATCHERS FROM 311 ANIMAL CONTROL, I FEEL THEY DIDN'T TAKE THE CALL SERIOUS. NO COMPASSION, WITH THE POLICE OFFICERS, ANIMAL CONTROL, AND WHEN THEY FOUND OUT I WAS SPEAKING OUT, THEY CALLED ME TWICE, BASICALLY HARASSMENT. MY DAUGHTER, WHEN SHE SIGNED UP, THEY GOT HER NUMBER AND I DON'T KNOW IF CITY COUNCIL IS ALLOWED TO GIVE THE NUMBERS OUT OF THE CITIZENS SPEAKING OUT -- I CAN UNDERSTAND MAYBE THEM GIVING THEM TO SUPERVISORS THINKING MAYBE WE CAN HELP YOU IN SOME WAY, BUT I FOUND IT THE ONLY REASON THEY CALLED WHEN THEY FOUND OUT I WAS GOING TO SPEAK OUT. IT'S SUSPICIOUS. I KNOW A LOT OF PEOPLE ARE THINKING -- THE POLICE OFFICERS THAT FIRST SHOWED UP ON SITE TO BEGIN WITH AN HOUR LATER, THEY DIDN'T KNOW ORDINANCES, THEY DIDN'T KNOW THE LAWS. THEY FELT LIKE THEY HAD NO JURISDICTION TO EVEN GO LOOK AT THE ANIMALS. THIS ISN'T A CIRCUS FROM RUSSIA OR BULGARIA, THIS IS A CIRCUS FROM FLORIDA. THANK YOU FOR YOUR TIME. AND I DO HAVE MY REPORT. I WANT TO GIVE ALL OF YOU ALL AND YOU CAN READ IT, IF THAT'S OKAY.

Mayor Wynn: PLEASE DO, MS. RAMIREZ.

I'M GOING TO ASK THE PARKS DIRECTORY GET YOU

CONTACT INFORMATION AND WE'LL FOLLOW UP REGARDING YOUR CALLS AND LET YOU KNOW WHAT HAPPENS. THANK YOU.

Mayor Wynn: THANK YOU, MS. RAMIREZ. NEXT SPEAKER IS JOHN GOLDSTONE. JOHN GOLDSTONE. TO BE FOLLOWED BY LEON HERNANDEZ. LEON HERNANDEZ. FRANCES MARTINEZ. WELCOME, MS. MARTINEZ. YOU WILL HAVE THREE MINUTES AND YOU WILL BE FOLLOWED BY MARCELO TAFOYA.

GOOD AFTERNOON, MAYOR AND CITY COUNCILMEMBERS. FOR THE RECORD MY NAME IS FRANCES MARTINEZ AND I AM THE LULAC DISTRICT 7 DEPUTY DIRECTOR FOR THE ELDERLY, NOT THE TEXAS STATE, OKAY? IT'S FOR THE DISTRICT HERE IN AUSTIN. AND TODAY I'M HERE TO LET YOU KNOW THAT ALSO I AM LOOKING INTO -- I WORK WITH THE ELDERLY, AND RIGHT NOW WE ARE STILL HAVING CONCERNS WITH THE TELEPHONE CALLING FOR THE M.A.P. PROGRAM. WE STILL HAVE TO WAIT A LONG TIME TO GET A RESPONSE. AND TO MAKE AN APPOINTMENT. SO WE REALLY, EVEN THOUGH THEY'VE TOLD ME THAT THE -- THAT THE TELEPHONE SYSTEM HAS BEEN UPDATED, IT'S STILL INADEQUATE. AND ALSO I WANT YOU TO KNOW THAT THE NEIGHBORHOOD ASSOCIATION DOES NOT SUPPORT THE ITEM, 85, SO I HOPE THAT YOU ALL GIVE IT GOOD THOUGHT AND THAT WE DO NOT WANT ANY MORE McMANSIONS. IT'S BAD ENOUGH THE WAY IT IS NOW. WE ARE HAVING A HARD TIME PAYING OUR TAXES, SO I APPRECIATE IF YOU LOOK INTO THIS. THANK YOU.

Mayor Wynn: THANK YOU, MS. MARTINEZ. ITEM 85 HAS BEEN WITHDRAWN. SO THANK YOU. [APPLAUSE]

Mayor Wynn: MARTHA STEWART, WELCOME. YOU WILL HAVE THREE MINUTES AND YOU WILL BE FOLLOWED BY GAVINO FERNANDEZ.

MAYOR AND COUNCIL, FIRST OF ALL, I WANT TO SAY THAT THE LEAGUE OF UNITED LATIN AMERICAN CITIZENS IS KNOWN AS LULAC. MY NAME IS MARTHA STEWART, PRESENT ARE OF COURSE THE DEPUTY DISTRICT DIRECTOR GAVINO FERNANDEZ, DEPUTY DISTRICT DIRECTOR FOR THE ELDERLY, FRANCES MARTINEZ, DEPUTY DISTRICT DIRECTOR

FOR THE YOUTH JEANETTE HERNANDEZ, ALSO PRESIDENT OF COUNCIL 8414, MARCO DELEON, AND PAUL HERNANDEZ, MEMBER OF THE COUNCIL. THERE ARE SEVEN COUNTIES IN OUR DISTRICT THAT WE REPRESENT. AND FIRST OF ALL I WOULD LIKE TO SAY THAT WE ARE SUPPORTING THE NEW REDISTRICTING MAP PRESENTED TO THE COURT BY LULAC DISTRICT 7. THE MANDATE OF THE SUPREME COURT LED TO VOTING RIGHTS VIOLATIONS IN THE 23rd DISTRICT. BY CORRECTING THIS CAUSED A RIPPLE EFFECT, AND SEVERAL DISTRICTS GIVING US SEVEN DISTRICTS WITH THE MAJORITY OF THE MINORITIES LIVE ACCORDING TO THE CENSUS OF 2000. ALL OTHER PLANS DO NOT GIVE US WHAT THE DEMOGRAPHICS MANDATE. NUMBER 2, WE WERE INVITED TO THE TABLE WHEN THE NEW CHIEF IS CHOSEN AND OTHER COMMUNITY ORGANIZATIONS, AND WE WELCOME THIS BECAUSE IT SHOWS THAT YOU ARE TRYING TO WORK WITH THE COMMUNITY. WE WILL BE LOOKING AT THE LOWER INCOME HOUSING ISSUE IN EAST AUSTIN. WE WILL BE LOOKING FOR -- ON HOW THE COURT SYSTEM TREATS OUR COMMUNITY. WE WILL BE LOOKING AT I-30 CORRIDOR AND HOW IT WILL AFFECT OUR COMMUNITY AND THE USE OF OUR ROAD WE PAID FOR WITH OUR TAX MONEY. ALSO THE DAY CARE CENTERS AND OTHER SCHOOL PROBLEMS THAT EXIST IN AUSTIN. WE LOOK FORWARD IN WORKING WITH THE COUNCIL AND ITS NEW MEMBERS. IF THERE IS ANYTHING WE CAN DO, DISTRICT 7 CAN DO FOR YOU, WE WOULD APPRECIATE A CALL FROM EITHER ONE OF YOU. THANK YOU VERY MUCH AND LULAC IS HERE TO SERVE OUR COMMUNITY. THANK YOU.

Mayor Wynn: THANK YOU. GAVINO FERNANDEZ, WELCOME. YOU WILL BE FOLLOWED BY PAUL HERNANDEZ.

WELCOME BACK, COUNCIL. MY NAME IS GAVINO FERNANDEZ, AND I WANT TO SPEAK TO YOU ON AN ISSUE THAT ITEM 85 BROUGHT TO OUR ATTENTION AND THAT IS THAT SUPPOSEDLY THE HOLLY NEIGHBORHOOD PLAN IS SILENT WHEN IT SPEAKS TO HEIGHT IN RESIDENTIAL AREAS. AND IT'S ALSO SILENT ON OTHER ISSUES RKS, IE SQUARE FOOT RATIO AND ISSUES OF THAT NATURE. AND I WAS HOPING THE REAL -- NOT THE -- I WAS HOPING THAT THE CITY MANAGER WOULD BE HERE, BUT YOU WILL DO FINE. [LAUGHTER] AND THE REASON IS BECAUSE -- WELL, I DON'T

KNOW WHAT THE REASON; BUT WE WENT THROUGH A NEIGHBORHOOD PLAN. AND IT WAS ADOPTED IN 2001. AND SENSE THEN, THE CITY, THIS GOVERNMENT HAS BEEN SILENT IN COMMUNICATING WITH US ON AN ANNUAL BASIS IN... IN REFERENCE TO THAT PLAN, WHILE OTHER NEIGHBORHOODS WHO ADOPTED PLANS DO KEEP AND COULD STANT COMMUNICATION WITH CITY STAFF. I HAVE COME AND BROUGHT THIS ISSUE TO YOU BEFORE, COUNCILMEMBER BREWSTER AND BETTY, YOU ALL HAVE BEEN HERE WHEN I BROUGHT UP THIS ISSUE THAT THERE WAS AN ELECTION THAT WAS CALLED AND A PLANNING TEAM WAS ELECTED, AND YOU FOLKS THAT MOVED INTO THE NEIGHBORHOOD DIDN'T LIKE THE RESULTS OF THAT ELECTION, AND UP TO TODAY HAS HAD MORE INFLUENCE IN REGARDS TO STIFLING COMMUNICATION WITH THIS PLANNING TEAM. I SEE THIS IS AN ISSUE OF EQUITY AND AN ISSUE OF JUSTICE. AND MY QUESTION TO THE CITY MANAGER IS WHY ARE WE BEING ALIENATED? AND I'VE SPOKEN TO GREG. HE'S NOT HERE. I WAS HOPING I WOULD COME EARLY BECAUSE I'VE SPOKEN TO GREG AND SAID, LOOK BEING, THIS IS A PLANNING TEAM THAT WAS ELECTED. WHY IS THE CITY DISENFRANCHISING THEMSELVES FROM US ON AN ISSUE THAT IS -- IS THE TOOL THAT MOVES DISCUSSIONS WITH THIS COUNCIL. AND I'M GOING TO ASK YOU AGAIN, HOW IS IT THAT WE CAN GET A PLANNING DEPARTMENT, THE NEIGHBORHOOD PLANNING DEPARTMENT TO COME OUT TO OUR NEIGHBORHOOD AND VISIT OUR NEIGHBORHOOD PLAN AND COMMUNICATE WITH THE PLANNING TEAM. AND IF YOU ALL WANT TO CALL ANOTHER ELECTION, WE'LL CALL ANOTHER ELECTION, YOU KNOW, WE'VE DONE THAT BEFORE. BUT IT SHOULDN'T BE ENOUGH -- THE PROTEST FROM THE INCOMING FOLKS THAT DID NOT FAVOR THE RESULT OF THE ELECTION, THAT SHOULDN'T BE ENOUGH FOR YOU ALL TO STIFLE COMMUNICATIONS WITH US. I WISH I COULD GO TO NELDA SPEARS AND SAY I DON'T WANT TO PAY MY CITY TAXES BECAUSE WE'RE NOT COMMUNICATING. [BUZZER SOUNDING] I'M ASKING CAN CITY STAFF RESOURCES BE MADE AVAILABLE LIKE ALL NEIGHBORHOODS THROUGHOUT THE CITY TO US. WE WENT THROUGH A VERY LONG PROCESS, ALMOST A TWO-YEAR PROCESS. AND IF NOT, LET US KNOW. THAT'S WHY WE JOINED LULAC. WE CAN TAKE THIS ISSUE TO

A COURT SYSTEM IF WE WANT, BUT I DON'T THINK WE NEED TO GO THERE. THANK YOU.

Mayor Wynn: THANK YOU, MR. FERNANDEZ. [APPLAUSE] PAUL HERNANDEZ WELCOME. YOU HAVE THREE MINUTES. YOU WILL BE FOLLOWED BY SUSANA ALMANZA.

GOOD AFTERNOON MEMBERS OF THE COUNCIL, AND I CONGRATULATE OUR TWO NEW COUNCILMEMBERS. YOU'VE GOT A LOT OF WORK AHEAD OF YOU. AND ALSO SOME DECISION TO MAKE THAT WE HOPE WILL CREATE A BETTER QUALITY OF LIFE FOR THE FOLKS OF EAST AUSTIN AND FOR ALL FOLKS OF COLOR. ANYWAY, THE TOPIC THAT I'M TO SPEAK ON IS ACCOUNTABILITY. FIRST OF ALL, LET ME TELL YOU THAT I'M A MEMBER OF THE CON SILL YOA, A COALITION OF EAST AUSTIN NEIGHBORHOOD ASSOCIATIONS. I'M ALSO A MEMBER OF EAST [INAUDIBLE] NEIGHBORHOOD ASSOCIATION WHICH IS BORDERED BY CESAR CHAVEZ, TOWN LAKE, PLEASANT VALLEY AND I-35. I'M ALSO A MEMBER OF LULAC COUNCIL 4814, AND I'M ALSO CO-CHAIR OF THE PLANNING TEAM THAT GAVINO FERNANDEZ TALKED ABOUT. AND HE IS ABSOLUTELY CORRECT. THE NEW FOLKS HAVE MOVED INTO EAST AUSTIN, THE GENTRIFIERS. THEY DID NOT LIKE THE RESULTS OF THAT ELECTION, AND BECAUSE THEY DID NOT, THEY USED ALL KINDS OF TRICKERY TO CONFUSE PEOPLE. THEY ALSO DID ANOTHER THING. THEY MADE SURE THAT CITY STAFF WOULD DEAL DIRECTLY WITH THEM AND CIRCUMVENT THE DEMOCRATIC PROCESS OF THE NEIGHBORHOOD. YOU SET UP THIS NEIGHBORHOOD PLAN AS A COUNCIL -- I MEAN AS A PLANNING SYSTEM. THE PLANNING PROCESS. AND YET WHEN IT CAME TO EAST AUSTIN, WHEN IT CAME TO THAT MOST CRUCIAL AREA OF THE AREA AROUND TOWN LAKE, YOU DISREGARDED THAT RESULT, THE PROCESS, EVERYTHING, AND YOUR LACK AS A COUNCIL OF SENSITIVITY, YOUR LACK OF HONOR HAS BEEN FELT TREMENDOUSLY. NOW, HOPEFULLY WE CAN HAVE SOME ACCOUNTABILITY FROM THIS LOCAL GOVERNMENT. HOPEFULLY THE LOW-INCOME PEOPLE OF COLOR WILL NOT BE THE ONES TO LOSE EVERYTHING THEY'VE GOT BECAUSE THE POLICIES MADE THROUGH THIS LOCAL GOVERNMENT. YOU HAVE CREATED THE ART THROUGH CITY POLICIES, THE ARTIFICIAL MARKET THAT EXISTS OUT THERE THAT IS DISPLACING PEOPLE, LONG-TIME LIFE RESIDENTS OF

AUSTIN. [BUZZER SOUNDING] YOU HAVE DISPLACED OUR PEOPLE SO THAT WE ARE NO LONGER AN ETHNIC COMMUNITY. YOU HAVE ASSASSINATED OUR ETHNIC CHARACTER OF OUR COMMUNITY SO I HOPE YOU WILL ALLOW YOURSELVES TO BE HELD ACCOUNTABLE. THANK YOU. [APPLAUSE]

Mayor Wynn: THANK YOU, MR. HERNANDEZ. SUSANA ALMANZA, WHO WILL BE FOLLOWED BY ANABEL ACUNA.

MAYOR, I'M SUSANA ALMANZA WITH PODER. GOOD AFTERNOON. ANABEL AND I WILL BE SHARING OUR TIME TO SHOW A VIDEO PRODUCED BY THE YOUNG SCHOLARS FOR JUSTICE. YOU KNOW, EVERY YEAR PODER HIRES BETWEEN 13 TO 17 YOUTH. WE PAY THEM \$8 AN HOUR FOR 20 HOURS, A LIVING WAGE, TO WORK ON YOUTH ISSUES AND COMMUNITY ISSUES, AND SO I'M GOING TO LET THE VIDEO RUN AND IF I HAVE A FEW MINUTES OR A MINUTE LEFT, I'LL TALK. (music)(music)

PODER. PEOPLE ORGANIZED IN DEFENSE OF EARTH AND HER RESOURCES IS AN ENVIRONMENTAL JUSTICE ORGANIZATION DEDICATED TO SERVING AND BRINGING FORTH JUSTICE TO THE RESIDENTS OF EAST AUSTIN. PODER HAS A YOUTH PROGRAM CALLED THE YOUNG SCHOLARS FOR JUSTICE, OTHERWISE KNOWN AS THE YSJ. THE YSJ WAS STARTED IN THE SUMMER OF 1995 WITH COLLEGE STUDENTS TO SET AN AGENDA TO IMPACT PRESSING ISSUES THAT IMPACT THEIR DAILY LIVES IN ECONOMIC ARENAS. LAST SUMMER ON JUNE 9, 2005, THE AUSTIN POLICE DEPARTMENT WAS INVOLVED IN THE DEADLY SHOOTING OF 18-YEAR-OLD DANIELLE ROCHA. THE INCIDENT WAS NOT CAPTURED ON TAPE DESPITE DEPARTMENT POLICY. DETAILS OF THE EVENT WERE UNCLEAR AND SKETCHY PROMPTING OUTRAGE THIS THE EAST AUSTIN COMMUNITY. A YEAR LATER AFTER THE INCIDENT OF DANIEL ROCHA, THE YSJ CAME TOGETHER TO HONOR HIS MEMORY BY ORGANIZING A VIGIL AT PLEASANT VALLEY AND QUICK SILVER WHERE FAMILY AND FRIENDS JOINED US AS WELL. THE YSJ ALSO TOOK A TOUR AROUND THE COLORADO RIVER PARK. THE PARK WAS IN BAD CONDITION. THE RIVER WATER HAD A BODY ODOR TO IT. THERE WAS A LOT OF TRASH. AND FROM AFAR, YOU COULD HEAR THE NOISINESS OF RUSHING

CARS. THE YSJ KNOW THESE PROBLEMS ARE FIXABLE AND WE CAN HELP MAINTAIN OUR UNDISTURBED PART OF AUSTIN. SUGGESTIONS WERE MADE ON HOW WE CAN IMPROVE AND MAINTAIN THE ROY GUERRERO COLORADO RIVER PARK. WE CAN INSTALL MORE TRASH CANS AND BENCHES. WE CAN DEVELOP A CLEAN UP THE PARK DAY. AND WE CAN KEEP ADVOCATING THAT THE PARK SHOULD REMAIN UNDEVELOPED IN ORDER TO PRESERVE THE WILDLIFE THAT IS STILL PRESENT. THIS SUMMER THE YSJ HELD TWO YOUTH FORUMS. ONE WAS HELD AT THE PODER OFFICE AND THE OTHER AT THE DOVE SPRINGS RECREATION CENTER. AT THESE YOUTH FORUMS, THE YSJ AND OTHER YOUTH WERE ABLE TO DISCUSS IMPROVEMENTS THAT WERE NEEDED IN LOCAL AUSTIN SERVICES FOR YOUTH. SERVICES THAT WERE DISCUSSED WERE YOUTH EMPLOYMENT, EDUCATION, ARTS AND CULTURE, PARKS AND RECREATION, AND THE AUSTIN POLICE DEPARTMENT. SOME RECOMMENDATIONS THAT WERE MADE ARE A DECENT LIVING WAGE, ALTERNATIVES TO ZERO TOLERANCE IN SCHOOLS, MORE FEMALE CATERED SPORTS AND LONGER HOURS OF OPERATION.

THE YOUNG SCHOLARS FOR JUSTICE ALSO WENT [INAUDIBLE] WORKSHOP WHERE THEY LEARNED ABOUT THE HISTORY OF VOTING AND THE RACIST TECHNIQUES USED TO PREVENT PEOPLE OF COLOR TO VOTE. WE DISCUSSED THE IMPORTANCE OF YOUTH VOTING AND LEARNED HOW TO EFFECTIVELY ORGANIZE A VOTING REGISTRATION DRIVE, AND AS A RESULT THE YSJ HELD TWO VOTER REGISTRATION DRIVES THE SUMMER OF 2006. ONE WAS HELD AT THE A. B. CANTU PAN AM REC CENTER AND THE OTHER AT THE ROSEWOOD CENTER. SEVERALFUL DEPUTISED. THEY ARE NOW ATE RECOMMEND STER PEOPLE TO VOTE FOR TWO YEARS. OUR TWO REGISTRATION DRIVES WERE A GREAT SUCCESS AND WE HOPE TO CONTINUE TO REGISTER PEOPLE TO VOTE. ESPECIALLY PEOPLE OF COLOR.
(music)(music)

PRESENT THE FINDINGS THAT YOU HAVE FOR BUDGET RECOMMENDATIONS. WE DID NOT HAVE THE CHANCE TO ALL SIGN UP OR CITIZEN COMMUNICATION, BUT WE WILL COME BACK AUGUST 10th. WFT THINGS WE'VE WORKED WITH THE

YOUNG SCHOLARS IS TO REALLY WORK ON COMMUNITY ISSUES AND YOUTH ISSUES AND WE THINK THIS IS VERY IMPORTANT WHEN IT COMES TO THE BUDGET HEARING WHENEVER YEAR WE SEE THE BUDGET SLASHED FOR YOUTH SERVICES. AND SO WE ARE NOW -- WE ARE PREPARING THE NEXT GENERATION OF COMMUNITY LEADERS, AS YOU CAN SEE, AND THE YOUNG SCHOLARS ARE NOT JUST COLLEGE, THEY ARE HIGH SCHOOLS. THIS YEAR WE ALSO GAVE OUT THREE SCHOLARSHIPS TO THREE JOHNSON HIGH SCHOOL STUDENTS, ANABEL ACUNA, WHO IS HERE, AND ONIKA DAVIS THAW SAW THAT WILL BE GOING ON TO THE UNIVERSITY. SO WE'RE REAL PROUD IN OUR PROGRAM. I WANT TO JUST TAKE THIS TIME TO ANNOUNCE REAL QUICKLY THAT PODER HAS TAKEN A STAND -- [BUZZER SOUNDING] TO VOTE AGAINST THE TOLL ROADS. WE FEEL THAT IS DOUBLE TAX TAXATION AND IS A DISCRIMINATION WEST AUSTIN HAS BEEN TAKEN OFF TOLL ROADS AND EAST AUSTIN CONTINUES TO BE PLACED ON THE TOLL ROADS. YOU WILL BE HEARING MORE FROM US AND ATTENDING THE CAMPO FIGHTING THE TOLL ROADS. THANK YOU SO MUCH. [APPLAUSE]

Mayor Wynn: THANK YOU. COUNCIL, THAT CONCLUDES OUR GENERAL CITIZEN COMMUNICATIONS. RIGHT ON SCHEDULE. SO COUNCIL, REMEMBER EARLIER IN EXECUTIVE SESSION WE TOOK UP ITEM NUMBER 103, WHICH WAS A REAL ESTATE MATTER REGARDING GREENWAY AND DESTINATION PARKS. WE HAVE A POSTED ACTION ITEM NUMBER 105 AND WE'LL WELCOME MS. JUNIE PLUMBER.

MAYOR AND COUNCIL, MY NAME IS JUNIE PLUMBER AND WITH YOU WORK TORE THE CITY OF AUSTIN IN THE REAL ESTATE DRITION DEPARTMENT IN THE PUBLIC WORKS. TODAY WE HAVE PART OF THE GREENWAY AND DESTINATION PARK LAND PROJECT APPROVED BY THE VOTERS NOVEMBER OF 1998. THIS PROJECT, THIS ACQUISITION TODAY IS PROBABLY THE LAST OF THE BIG ACQUISITIONS FOR THIS PARTICULAR PROJECT AND IT WAS 40 AND A HALF MILLION DOLLARS APPROVED BY THE VOTERS OF WHICH 5 WAS DESIGNATED FOR DEVELOPMENT, AND ALL THOSE FUNDS HAVE BEEN ENCUMBERED FOR DEVELOPMENT. TODAY WE'RE TALKING ABOUT 106 ACRES, TWO TRANSACTIONS, BUT ONE FAMILY. WE HAVE

CURRENTLY 1,886 ACRES ACCOMPLISHED THROUGH GREENWAY AND DESTINATION, PROPOSITION NUMBER 2, AND TODAY WE'LL TALK ABOUT 106. SO THAT WILL PUT IS REAL CLOSE TO 2,000 ACRES FOR GREENWAY AND DESTINATION. WITH THIS ACQUISITION WE WILL ALSO HAVE ABOUT 841 ACRES BETWEEN HIGHWAY 290 AND LOYOLA LANE ALONG WALNUT CREEK. IT KIND OF HARD TO SEE THE RED IN THE MAP, BUT THE AREA WE'RE TALKING ABOUT, THE 106 ACRES, IS THE PORTION MARKED SORT OF IN RED ON THE MAP. SO TRACT NUMBER 1 WITH THIS FAMILY IS OWNED BY ROOP. RUPERT CEDAR AND HIS WIFE. HE IS THE SUCCESSOR TRUSTEE. THAT TRUST BENEFITS RUPERT CEDAR, ANNETTE CEDAR, BETTY JOAN PURVIS, W P. PURNELL AND BUTY JEAN. IT HAS THE ORIGINAL HOMESTEAD FOR THE FAMILY. THE CEDAR FAMILY HAS BEEN IN THIS AREA SINCE 1887, LOCATED OFF OLD MANOR ROAD. THE PURCHASE PRICE FOR THIS 74 ACRES IS \$3,386,789. SITE NUMBER 2 IS OWNED BY BETTY JEAN CEDAR AND HER HOUSE HOWARD PURVIS. IT'S A 32-ACRE SITE WITH A 1967 HOME ON IT LOCATED OFF OLD MANOR ROAD T PURCHASE PRICE IS \$1,653,505. TODAY ACQUISITION TOTAL IS \$50,400,294 AND WE EXPECT TO BE ABLE TO CLOSE THIS 106 ACRES AUGUST 21st. AS PART OF THIS THE FAMILY HAS MADE A REQUEST. THEY WOULD LIKE TO KEEP THEIR LEGACY ALIVE. THEY HAVE BEEN HERE OVER 119 YEARS AND THEY WOULD LIKE TO SEE US FOLLOW A PROCESS AND MAYBE HONOR THEIR GREAT GRANDFATHER OSCAR WHO WAS ONE OF THE FIRST SWEDISH SETTLERS IN THIS AREA. THERE'S THE 1887 HOME. THEY WOULD LIKE THE SEE IT REMAIN. THERE'S AN EXISTING LEASE WITH RUPERT FOR FARMING AND CATTLE, HE WOULD LIKE TO SEE THAT, AND THE FAMILY WOULD LIKE TO HAVE A CELEBRATION FOR THIS ADDITION TO GREENWAY AND PARK LAND IN THE FALL. SO THAT COMPLETES ITEM NUMBER 105. IT'S AN ACQUISITION OF 106 ACRES, AND AGAIN, YOU ARE AT \$5,040,294. AND MR. STRUESS IS HERE AND HE'S GOING TO ANSWER QUESTIONS ABOUT THE TRAILS IN PARTICULAR.

Mayor Wynn: THANK YOU. QUESTIONS, COUNCIL? THANK YOU. WELCOME, MR. STRUESS.

THANK YOU, MAYOR. WARREN 1-S, DIRECTOR OF PARKS AND RECREATION. I WANTED TO TAKE THE OPPORTUNITY AND

SAY THANK YOU VERY MUCH TO MS. PLUMBER. HER VISION AND EFFORTS OVER THE PAST MANY YEARS HAS SECURED QUITE A -- QUITE A COLLECTION OF WONDERFUL PARK LAND IN NORTHEAST AUSTIN AND I THINK I JUST WANT TO PUBLICLY SAY THANK YOU TO HER. AS YOU CAN SEE, COUNCIL, WE'VE GOT QUITE A COLLECTION OF WONDERFUL DESTINATION PARKS IN NORTHEAST AUSTIN. YOU CAN SEE THE LARGE AREA IN THE UPPER RIGHT-HAND CORNER IS WALTER E. LONG PARK. JUST WEST OF THAT YOU CAN SEE OUR DESTINATION PARK THAT WE'RE GOING TO FINALIZE TODAY WITH YOUR APPROVAL, AND YOU CAN SEE THAT COLLECTION OF PARK AND DESTINATION AND IT'S ADJACENT TO NORTHEAST PARK THAT WE ALREADY HAVE SOME DEVELOPMENT IN THAT PARK. WHAT I WANTED TO BRING TO YOUR ATTENTION TODAY, COUNCIL, JUST VERY BRIEFLY IS OUR WONDERFUL VISION THAT WE HAVE FOR CONNECTIVITY WITH THE TRAIL. CONGRESSMAN DOGGETT AND CONGRESSMAN McCALL HAVE BOTH COME TO -- COME FORWARD AND ISSUED FEDERAL DOLLARS THAT WE SOON WILL BE SEEING COMING TO TXDOT FOR ADMINISTERING THIS TRAIL. YOU CAN SEE THE RED OUTLINE THAT IS CORRECT IS THE VISION THAT WE HAVE WITH RESPECT TO THE FEDERAL DOLLARS. WE WILL MATCH THOSE DOLLARS AND HOPEFULLY BEFORE LONG WE WILL START A DESIGN TO PUT THAT TRAIL IN FROM THE UPPER PART OF WALNUT CREEK DESTINATION PARK ALL THE WAY DOWN INTO THE WATER AND WASTEWATER LAND. I WANTED TO GIVE YOU THAT PIECE OF INFORMATION THAT JUST AS SOON AS TXDOT PROCESSES THOSE FEDERAL DOLLARS WE'LL GET STARTED ON THE DESIGN. JUST TO THE WEST OF THAT, JUST ACROSS 183 WE HAVE ABOUT A 200-ACRE TRACT KNOWN AS THE SOLO TRACT. THAT IS THE TRACT THAT YOU MAY RECALL IS WHERE WE WILL CONSTRUCT THE RAUL ALVAREZ GOLF COURSE. THE ONLY AREA THAT CURRENTLY WE HAVE THAT CAUSE US A CHALLENGE IN CONNECTIVITY IS THAT AREA THAT YOU SEE, I THINK IT'S SOMEWHAT IN YELLOW. THAT'S THE TRACT THAT THE YMCA OWNS CURRENTLY AND THAT'S THE TRACT WE WOULD LIKE TO TRY TO GET A RIGHT-OF-WAY OR EASEMENT ACROSS THAT AREA SO THAT WE CAN HAVE OUR TRAIL COMPLETING CONNECTED. SO COUNCIL, THOSE ARE JUST SOME REMARKS TO, FIRST OF ALL SAY THIS IS A GREAT

OPPORTUNITY TO PURCHASE THAT UPPER PIECE OF PARK LAND, AND SECONDLY TO SHOW YOU KIND OF VISION OF WHAT THE FUTURE HOLDS IN STORE.

Mayor Wynn: THANK YOU. QUESTIONS OF STAFF, COUNCIL? COUNCILMEMBER COLE A.

Cole: I WANT TO THANK STAFF FOR THEIR HARD WORK AND VISION AND WANTED TO YOU SAY A LITTLE MORE ABOUT HOW THIS WOULD TIE INTO TOWN LAKE AND THE CONNECTIVITY BETWEEN EAST AND WEST AUSTIN.

LET ME SEE IF I CAN GET A MIC TO CRANK UP. LIVE? THANK YOU. COUNCILMEMBER, IF YOU WILL, I WILL SHOW YOU THE UPPER PART OF OUR VISION WHERE I AM CURRENTLY POINTING, THAT IS WHERE WE HOPE TO USE THE FEDERAL DOLLARS TO BEGIN WITH, AND THEN DRAW A LINE DOWN, THIS WILL BE THE TRAIL THAT WILL COME DOWN THROUGH THE PARK LAND DOWN THROUGH NORTHEAST PARK. ALL THE WAY DOWN SOUTH, THIS IS THE TRACT I WAS JUST REFERRING TO. THAT'S THE YMCA TRACT, FIRST TEE TRACT. THAT IS THE TRACT THAT WE'LL NEED TO WORK THROUGH THE DETAILS, THE CHALLENGES OF MAKING THAT CONNECTION BETWEEN HERE AND HERE. A COUPLE OF OPTIONS OBVIOUSLY. TXDOT DOES HAVE A RIGHT-OF-WAY THROUGH HERE THAT WE'LL DISCUSS, AS WELL AS DISCUSSIONS WITH THE Y TO SEE IF WE CAN MAKE THIS CONNECTION AND ALSO THE CONNECTION RIGHT UNDERNEATH 183 WHICH WE DO HAVE CURRENTLY AN EASEMENT FROM TXDOT. WE WOULD STILL LIKE TO GET THROUGH THE Y AND OVER HERE TO PARK LAND AS WELL. SO THOSE ARE THE TWO AREAS THAT WE'RE CHALLENGED WITH CONNECTIVITY. COUNCILMEMBER, DID I ANSWER YOUR QUESTION?

Cole: YES, AND I APPRECIATE YOUR HARD WORK AND I WANTED TO RECOGNIZE YOUR EFFORTS IN TRYING TO DO THE WORK OF BRINGING OUR PARK COMMUNITY BOTH EAST AND WEST TOGETHER.

THANK YOU VERY MUCH.

Mayor Wynn: THANK YOU, MR. STRUESS. QUESTIONS,

COMMENTS, COUNCIL? IF NOT, WE HAVE A POSTED ACTION ITEM 105.

MAYOR, I'VE BEEN ASKED TO READ IN THE NAMES AGAIN FOR YOU AND THE DOLLAR AMOUNT AS PART OF THAT MOTION. AT THE APPROPRIATE TIME, TELL ME WHEN YOU WOULD LIKE TO READ THAT INTO THE RECORD.

Mayor Wynn: THANK YOU. COUNCIL, I'LL ENTERTAIN A MOTION ON ITEM 105.

SO MOVED, MAYOR.

Mayor Wynn: MOTION MADE BY COUNCILMEMBER COLE, SECONDED BY COUNCILMEMBER LEFFINGWELL TO APPROVE ITEM 105 THAT MS. PLUMBER WILL READ INTO THE RECORD.

THIS IS A PURCHASE OF 106 ACRES FROM RUPERT CEDAR AND HIS WIFE LILY BELL CEDAR. ROOPER CEDAR SUCCESSOR TRUSTEE FOR THE BENEFIT OF THE TRUST. THAT BENEFIT IS TO ROOPER CEDAR, ANNETTE CEDAR PINELLE, BETTY JEAN CEDAR, WPPURNELL AND HER HUSBAND HOWARD PURVIS. THE PURCHASE PRICE IS \$5,040,294 FOR 106 ACRES.

Mayor Wynn: MOTION AND SECOND ON THE TABLE. FURTHER COMMENTS? COUNCILMEMBER KIM?

Kim: I WANTED TO SAY THANK YOU TO JEANNIE AND FOR THE SEEDER..ER FAMILY FOR THEIR GENEROUS CONTRIBUTION. IT'S A VERY GENEROUS GIFT ON THEIR PART.

Mayor Wynn: AGREED. FURTHER COMMENTS? ALL THOSE IN FAVOR PLEASE SAY AYE. OPPOSED? MOTION PASSES ON A VOTE OF 7-0.

THANK YOU VERY MUCH.

Mayor Wynn: THANK YOU ALL VERY MUCH. COUNCIL, ALSO EARLIER IN CLOSED SESSION WE HAD LEGAL ADVICE FROM OUR ATTORNEY REGARDING WHAT IS POSTED AS ACTION ITEM 93 REGARDING RED LIGHT CAMERAS. WITH THAT I'D

WELCOME A PRESENTATION OR INTRODUCTION.

MAYOR AND COUNCIL, ITEM NUMBER 3 IS AN ITEM FROM COUNCIL DIRECTING STAFF TO DIRECT THE CITY MANAGER TO DEVELOPMENT AN IMPLEMENTATION PLAN FOR A PILOT PROGRAM FOR THE RED LIGHT CAMERAS. WE HAVE AS A VISUAL HERE ARE SOME OF THE INTERSECTIONS WE'VE IDENTIFIED AS OVER THE THREE-YEAR PERIOD THE MOST DANGEROUS INTERSECTIONS WE WOULD CONSIDER AS PART OF THIS PLAN FOR IMPLEMENTATION. THE PLAN WOULD REQUIRE STAFF TO COME BACK WITH A CHANGE, AN ORDINANCE CHANGE FOR RUNNING RED LIGHTS CREATING A CIVIL PENALTY AND THE PLAN WILL ALSO INCLUDE A REQUEST FOR [INAUDIBLE] PROCESS IN ORDER TO SELECT AND IDENTIFY A VENDOR FOR IMPLEMENTATION OF RED LIGHT CAMERAS.

Mayor Wynn: COMMENTS, QUESTIONS? COUNCILMEMBER KIM.

Kim: THIS CAME ABOUT FOR A NUMBER OF REASONS. FIRST OF ALL, SO OFTEN PEOPLE ARE DRIVING AND RUNNING RED LIGHTS AND CAUSING ACCIDENTS AS WELL AS FATALITIES. JUST YESTERDAY WHEN I WAS DRIVING HOME FROM THE CITY HALL I SAW SOMEONE RUNNING THROUGH A YELLOW LIGHT, WHICH IS LEGAL, FOLLOWED BY A CAR THAT WAS CLEARLY RUNNING A RED LIGHT. AND TOO OFTEN THIS IS A VERY COMMON OCCURRENCE AND WE HEAR TIME AND TIME AGAIN OR WE KNOW PEOPLE, EITHER OURSELVES OR OUR LOVED ONES OR PEOPLE THAT WE WORK WITH WHO HAVE BEEN IN ACCIDENTS BECAUSE SOMEONE HAS RUN A RED LIGHT. THIS IS A PROGRAM THAT WILL BE ABLE TO PROTECT PEOPLE'S CIVIL LIB AT THIS TIME AND THEIR PRIVACY BECAUSE IT ONLY TAKES A PICTURE OF THE LICENSE PLATE AND NOT OF THE PASSENGERS OF THE CAR, AND IT WOULD BE A CIVIL PENALTY VERSUS A CRIMINAL PENALTY. WHAT THAT MEANS IS WHEN SOMEONE RUNS A RED LIGHT AND THEY GET A TICKET IN THE MAIL, THAT WHEN THEY PAY THAT TICKET, IT WILL BE A CIVIL VIOLATION, IT WILL NOT AFFECT OUR INSURANCE RATES. IT IS NOT A MOVING VIOLATION. WE'LL STILL HAVE OFFICERS ON THE STREET WHO ARE DOING THEIR JOB, BUT THIS IS ONE ADDED TOOL TO INCREASE PUBLIC SAFETY, PROTECT PEDESTRIANS, BICYCLEISTS AND MOTORISTS ON OUR ROADWAYS. WE HAD

A LOT OF SUPPORT FOR THIS FROM PEOPLE WHO UNDERSTAND THAT THIS IS A VERY IMPORTANT TOOL FOR OUR CITY TO HAVE AND SO I WANT TO THANK THE STAFF AS WELL AS THE LAW ENFORCEMENT FOR WORKING WITH US TO MAKE THIS HAPPEN. THIS IS JUST ONE STEP OF THE PROCESS. THERE ARE MANY QUESTIONS AS TO HOW THIS WOULD WORK AND WE HAVE MANY OPTIONS BEFORE US SO WE AS A COUNCIL WILL BE WORKING ON AN ORDINANCE WITH THE CITY STAFF TO DETERMINE WHAT IS THE BEST SYSTEM, LOOKING AT BEST PRACTICES AROUND THE NATION FOR A RED LIGHT CAMERA SYSTEM.

Mayor Wynn: THANK YOU, COUNCILMEMBER. FURTHER COMMENTS? QUESTIONS? COUNCILMEMBER.

Martinez: MAYOR, I JUST WANT TO ALSO ECHO SOME SIMILAR SENTIMENTS AS COUNCILMEMBER KIM. I APOLOGIZE. I'M ABOUT TO COMPLETELY LOSE MY VOICE. ONE OF THE THINGS THAT WE SAW IN SOME E-MAILS WAS THE ISSUE OF INVASION OF PRIVACY. I WANT TO MAKE IT VERY CLEAR WE ARE IN DISCUSSION ABOUT THOSE ISSUES AND WE DON'T WANT TO BE TAKING PHOTOGRAPHS OF DRIVERS OR ANYONE IN THE VEHICLES. WE EXPLICITLY REQUESTED MORE DETAILED INFORMATION ABOUT THAT ISSUE AND OUR CONCERNS -- AND RELAYED OUR CONCERNS ABOUT THAT. BUT AT THE SAME TIME, I BELIEVE THAT THIS COUNCIL IS SOMEWHAT UNDER A MANDATE BY SOME FOLKS IN THIS COMMUNITY THAT WE IMPROVE PUBLIC SAFETY WHILE REDUCING THE COST AT THE SAME TIME. AND I THINK THIS IS A TOOL THAT CAN ACCOMPLISH THOSE GOALS. THIS IS NOT PRIVATIZATION OF POLICE SERVICES. THERE ARE SOME FOLKS OUT THERE THAT ARE SAYING THAT THIS IS A MOVE IN THAT DIRECTION. OUR POLICE OFFICERS WILL STILL BE OUT THERE DOING THEIR JOBS AND WRITING CITATIONS WHEN NECESSARY FOR MOVING VIOLATIONS. THIS IS SIMPLY AN ADDED TOOL TO HOPEFULLY CURB SOME OF THE MORE EGREGIOUS AND DANGEROUS INTERSECTIONS OF RED LIGHT RUNNERS AND TRAFFIC VIOLATIONS. SO I'LL BE SUPPORTING THIS MOTION AS WELL.

Mayor Wynn: THANK YOU, COUNCILMEMBER.

ACTUALLY CAN WE HAVE A LOOK AT THE MAP OF THE MOST

DANGEROUS INTERSECTIONS? THERE'S A MAP THAT STAFF HAS CREATED WHERE WE CAN SEE THERE HAVE BEEN A LARGE NUMBER OF RED LIGHT CAMERA ACCIDENTS OR PEOPLE RUNNING THE RED LIGHTS.

Mayor Wynn: IT'S ON THE SCREEN NOW.

MAYOR AND COUNCIL, WHAT THIS MAP REPRESENTS, AGAIN, IS OUR HIGHWAY ENFORCEMENT TEAM DID AN ANALYSIS OVER THE LAST THREE YEARS. THE MOST ACCIDENTS -- EXCUSE ME. THE MOST ACCIDENTS RECORDED FOR CITY-WIDE AT VARIOUS INTERSECTIONS AND WHAT YOU SEE BEFORE YOU ARE TWO SETS OF INTERSECTIONS. THE ONES IDENTIFIED WITH THE RED DOT ARE THE TOP 11 MOST DANGEROUS INTERSECTIONS BASED ON THE NUMBER OF ACCIDENTS THAT HAVE OCCURRED THERE. THE ONES IN BLUE COMPLETE THE TOP 20 WHICH WILL BE 12 THROUGH 20. AGAIN, THESE ARE BASED ON A CUMULATIVE NUMBER OF ACCIDENTS CITY-WIDE FROM 2003 TO CURRENT AT THE VARIOUS INTERSECTIONS.

Mayor Wynn: THANK YOU, MR. GARZA. WE HAVE A HANDFUL -- TWO CITIZENS WHO SIGNED UP WISHING TO SPEAK ON THIS ITEM, BOTH IN OPPOSITION. I'M NOT SURE IF THEY ARE STILL WITH US OR NOT. DEBBIE RUSSELL SIGNED UP WISH TO GO SPEAK. WELCOME. THANKS FOR YOUR PATIENCE. YOU WILL BE FOLLOWED BY CAMILLE PERRY, EACH WITH THREE MINUTES.

HI THERE, THANK YOU, COUNCIL, MAYOR. I'M GOING TO SPEAK BRIEFLY. I'VE BEEN DOING A LOT OF RESEARCH THE PAST FEW DAYS ONCE I FOUND OUT THIS WAS COMING ON TO THE AGENDA TODAY, AND WE HAVE SEVERAL CONCERNS FROM THE ACLU STANDPOINT. I WANT TO POINT OUT FIRST THOUGH THAT THE ACLU HAS SUCCESSFULLY FOUGHT THIS PROGRAM IN OTHER PLACES, IN MINNESOTA, THEY HAVE FOUGHT THIS BASED ON THE DUE PROCESS ASPECT THAT YOU CANNOT FACE YOUR ACCUSER, SO THAT WOULD BE IN VIOLATION OF DUE PROCESS AND THE 14th AMENDMENT. THE CASE -- BECAUSE THE CAMERAS DID NOT RECORD THE FACE OF THE DRIVERS, THIS CITY WAS UNABLE TO DETERMINE WHO WAS DRIVING THE VEHICLE WHEN IT RAN A RED LIGHT. I THINK THAT IS SOMETHING THAT YOU SHOULD

BE CAUTIOUS ABOUT AS YOU MOVE FORWARD ON THIS. AND ALSO THERE HAS BEEN A CASE IN WELL IN NEW MEXICO AND ALBUQUERQUE THEY TRIED TO CEASE CARS BELONGING TO THOSE WHO RECEIVED A SECOND SAY TATION. AGAIN, ACLU HAS STEPPED IN THERE. RIGHT NOW THEY HAVE ENTERED A NEW LAWSUIT IN IOWA, DISASTER, IOWA, -- DAVENPORT, IOWA, THAT THE PROGRAM VIOLATES THE CONSTITUTIONAL RIGHT TO DUE PROCESS. AND AGAIN -- I'M SORRY. MOVE ON HERE. WE'RE CONCERNED ABOUT HOW THAT WILL PLAY OUT HERE IN TEXAS. WE NEED TO DO SOME MORE RESEARCH AND I WOULD BE HAPPY TO STICK AROUND AND WORK WITH YOU AS YOU MOVE FORWARD ON THIS STUDY TO FIND OUT HOW STATE LAW WILL APPLY TO THE PROGRAM THAT'S PROPOSED HERE IN AUSTIN. WE DO FEEL, THOUGH, THAT THEY ARE VERY INEFFECTIVE AND THERE'S BEEN A LOT OF RESEARCH AND STUDIES THAT ARE VERY -- VERY READILY AVAILABLE THAT THE REAR-END COLLISIONS GREATLY INCREASED FROM THESE RED LIGHT CAMERAS. PEOPLE SEE THEM, SLAM ON THEIR BRAKES. UP IN D.C. THEY HAD 8 #-% INCREASE IN REAR-END COLLISIONS. AND SO YES, WE MIGHT SEE A DECREASE IN SIDE ANGLE COLLISIONS, WHICH, OF COURSE, ARE THE MORE DANGEROUS COLLISIONS, BUT THERE'S ALSO STUDIES ON THAT SHOWED THOSE COLLISIONS ARE CAUSED BY PEOPLE THAT HAVE OTHER ISSUES AT HAND SUCH AS DRINKING AND DRIVING SO THAT THOSE PEOPLE ARE THE LEAST LIKELY TO REALLY BE AFFECTED OR TO TAKE NOTE OF CAMERAS BEING THERE. AND WE THINK THAT THERE ARE OTHER WAYS THAT ARE LESS EXPENSIVE AND EASIER TO IMPLEMENT. JUST INCREASING YELLOW LIGHT TIMES IN OTHER CITIES THEY'VE TRIED THIS. THEY HAVE DRAMATICALLY REDUCED COLLISIONS IF YOU INCREASE THE YELLOW LIGHT TIME BY 1%. TEXAS, THE TEXAS TRANSPORTATION INSTITUTE HAS SAID THAT THAT WILL DECREASE COLLISIONS BY 40%. SO I THINK YOU SHOULD LOOK AT THAT BEFORE YOU MOVE INTO SOME TECHNOLOGICAL EXPENSIVE, HARD TO MANAGE SYSTEM. THANK YOU.

Mayor Wynn: THANK YOU, MS. RUSSELL. CAMILLE PERRY.

MAYOR, I WANT TO ASK A QUESTION OF MS. RUSSELL.

Mayor Wynn: MS. RUSSELL.

Martinez: IF WE FEEL COMFORTABLE AND ACLU FEELS COMFORTABLE WITH THE LEGAL ASPECTS THAT YOU BROUGHT UP, ARE YOU SUGGESTING THAT WE IMPLEMENT SOMETHING THAT DOES TAKE PICTURES OF THE INDIVIDUAL DRIVERS?

I'M NOT SUGGESTING THAT AT THIS POINT, NO.

Martinez: OKAY. THANKS.

Mayor Wynn: AGAIN, CAMILLE PERRY SIGNED UP WISH TO GO SPEAK. ALSO IN OPPOSITION. AND STEVEN EDGE SIGNED UP NOT WISH TO GO SPEAK, ALSO IN OPPOSITION. COUNCIL, THAT'S ALL OF OUR CITIZEN SPEAKER SIGNUPS ON THIS ITEM. COUNCILMEMBER KIM.

Kim: FIRST OF ALL, I DID CALL THE ACLU ABOUT A MONTH AGO ASKING FOR INPUT. WE WEREN'T ABLE TO TOUCH BASE UNTIL YESTERDAY WHEN I RECEIVED A CALL SO I AM WILLING TO WORK WITH THE ACLU. I THINK THEY RAISE SOME REALLY GOOD CONCERNS. JUST ON THE INFORMATION I HAVE RIGHT NOW ABOUT THE REAR-END COLLISIONS, TO SAY THAT WAS DONE, IT WAS FOUND TO BE FLAWED BY THE INSURANCE INSTITUTED OF HIGHWAY SAFETY. BUT I UNDERSTAND IF THAT IS A PROBLEM, WE CAN ADDRESS THAT AND WORK ON THE ORDINANCE TO FIND WAYS TO NOT HAVE AN INCREASE IN REAR-END COLLISIONS BECAUSE THAT'S NOT THE INTENT HERE. WE COULD EITHER PUT SIGNS UP AHEAD OF TIME TO WARN PEOPLE THERE ARE RED LIGHT CAMERAS AHEAD OF THEM AND THERE ARE OTHER WAYS TO ADDRESS THAT. THE PRIVACY ISSUES ARE SOMETHING THAT IS IMPORTANT TO ME AS WELL AS THE COUNCIL. THAT'S WHY THE CAMERAS ONLY TAKE PICTURES OF THE LICENSE PLATES, AND THERE ARE A NUMBER OF ISSUES THAT WILL BE ADDRESSED, AND I THINK THAT THROUGH RESEARCH OF BEST PRACTICES AS WELL AS WHAT OTHER CITIES HAVE DONE WE CAN COME UP WITH A WAY TO MAKE THIS WORK FOR AUSTIN. I ALSO WOULD LIKE TO AMEND THE RESOLUTION TO ASK THE STAFF TO RETURN IT WITHIN 90 DAYS INSTEAD OF IN 90 DAYS JUST TO BE CLEAR THAT IF WE HAVE INFORMATION AND WE'RE READY

TO DO THAT BEFORE 90 DAYS THAT WE CAN PROCEED WITH DOING THAT.

Mayor Wynn: THANK YOU, COUNCILMEMBER. FURTHER COMMENTS?

MAYOR, MOVE APPROVAL OF THE MOTION, OF THE RESOLUTION TO IMPLEMENT A RED LIGHT CAMERA SYSTEM.

Mayor Wynn: MOTION MADE BY COUNCILMEMBER KIM, SECONDED BY COUNCILMEMBER.

Martinez:, ITEM 93. FURTHER COMMENTS? HEARING NONE, ALL THOSE IN FAVOR PLEASE SAY AYE. OPPOSED? MOTION PASSES ON A VETO OF 7 7-0. THANK YOU ALL VERY MUCH. COUNCIL, I BELIEVE THAT CONCLUDES ALL OF OUR DISCUSSION ITEMS PRIOR TO THE CITY MANAGER PRESENTING HER PROPOSED BUDGET. WE STILL HAVEN'T HAD LUNCH, HOWEVER, SO WITHOUT ON, WE'LL GO INTO CLOSED SESSION PURSUANT TO SECTION 551.071 OF THE OPEN MEETINGS ACT TO TAKE UP AGENDA ITEM 102, CONSULTATION FROM OUR ATTORNEY REGARDING LEGAL ISSUES ASSOCIATED WITH CONSTRUCTION CLAIMS BY GUERRERO MCDONALD. WE'RE NOW IN CLOSED SESSION WHILE WE HAVE A BITE TO EAT AND I SUSPECT WE'LL BE BACK FOR THE BUDGET PRESENTATION IN APPROXIMATELY ONE HOUR. THANK YOU. AS YOU CAN SEE HERE, 2.4 MILLION LUMPED INTO PUBLIC SAFETY, ANOTHER 2.4 MILLION IN COMMUNITY SERVICES, AND ABOUT 1 POINT #- MILLION IN CENTRAL SUPPORT SERVICES. AGAIN, A TOTAL OF 6.1 MILLION. AND IT'S ABOUT 86 NEW POSITIONS. NOW, WE'RE GOING TO DISCUSS THE SPECIFIC DETAILS OF THESE LATER THIS THE BUDGET PRESENTATION UNDER THE BUDGET DEPARTMENT HIGHLIGHTS. BEFORE TURNING THE PRESENTATION BACK TO GREG WHO WILL TALK IN MORE DETAIL ABOUT OUR GENERAL FUND REVENUES AND EXPENDITURES, LET'S RECAP 2007 PROPOSED BUDGET. IT'S BALANCED AND PROPOSED AT THE EFFECTIVE TAX RATE. IT CONTINUES TO BE A BUDGET OF NEEDS NOT WANTS. IT FOCUSES ON REBUILDING OUR SERVICES THAT WERE CUT SO HARD DURING THE DOWNTURN AND TO RESPONDING TO THE SIGNIFICANT GROWTH WE ARE SEEING NOW IN OUR SERVICE DEMAND. IT ALSO ALLOWS US TO CONTINUE

REINVESTING IN OUR WORKFORCE, TO CONTINUE REBUILDING OUR SERVICE DELIVERY AND TO STRENGTHEN OUR CENTRAL SUPPORT FUNCTION AND INTERNAL CONTROLS. NOW I'M GOING TO TURN IT OVER TO GREG TO TAKE US THROUGH THE NEXT SECTION.

THANK YOU, CITY MANAGER. THE PROPOSED 2007 BUDGET FOR THE GENERAL FUND IS BALANCED WITH 525 MILLION IN REVENUE AND \$525 MILLION IN EXPENDITURES. NOW, I'D LIKE TO START BY TAKING A LOOK AT BOTH PIECES OF THE -- BOTH SIDES OF THE GENERAL FUND. WE GENERALLY VIEW OUR REVENUE AS FOUR ROUGHLY EQUALLY PARTS OF A PIE. PROPERTY TAX REVENUE IS THE LARGEST AT ALMOST 30% FOR \$156 MILLION. AND BECAUSE OF OUR STRONG GROWTH PROJECTIONS, SALES TAX FOR F.Y. 2007 IS NEARLY 29% OF TOTAL REVENUE AT 150.7 MILLION. TRANSFER FROM AUSTIN ENERGY AND AUSTIN WATER UTILITY IS THE THIRD PIECE OF THIS PIE AT 20% OF THE TOTAL. AND AS WAS RECONFIRMED DURING A POLICY DISCUSSION IN MAY, THE PROPOSED 2007 BUDGET IS BUILT AROUND MAINTAINING THE TRANSFER RATES AT 8.2% FOR THE AUSTIN WATER UTILITY AND 9.1% FOR AUSTIN ENERGY. THESE TRANSFERS RESULT IN \$106 MILLION IN REVENUE. AND FINALLY, ALL OF OUR OTHER REVENUE WHICH INCLUDES FRANCHISE FEES, CHARGES FOR SERVICES SUCH AS E.M.S. SERVICES, PARK ENTRY FEES, OUR DEVELOPMENT REVENUE, FINES SUCH AS PARKING TICKETS, TRAFFIC TICKETS, LIBRARY FINES, AND INTEREST REVENUE ARE 21% OF OUR TOTAL REVENUE, \$111 MILLION. MOVING OVER TO THE OTHER SIDE OF THE GENERAL FUND ON THE EXPENDITURE SIDE, YOU CAN SEE HOW THE \$525 MILLION IS BEING EXPENDED. THE LARGEST PIECE OF THE PIE IS PUBLIC SAFETY AT 65% OR \$345 MILLION. THIS INCLUDES OUR POLICE, FIRE, EMERGENCY MEDICAL SERVICES AND PUBLIC SAFETY AND EMERGENCY MANAGEMENT DEPARTMENTS. MUNICIPAL COURT IS BUDGETED AT 10.1 MILLION, ALMOST 2% OF TOTAL EXPENDITURES. HEALTH EXPENDITURES TOTAL 30.9 MILLION OR 5.9%. AND INCLUDED IN THIS AMOUNT IS PART OF THE SOCIAL SERVICE CONTRACT FUNDINGS. OUR GROWTH MANAGEMENT AREA, NEIGHBORHOOD PLANNING AND WATERSHED PROO TEXT AND DEVELOPMENT PREVIEW ACCOUNT FOR 3.6% OR 18.9 MILLION. PARKS AND LIBRARY

TOGETHER ARE 52.4 MILLION, 10% OF THE USES. INCLUDED IN THE TRANSFER OTHER CATEGORY WHICH TOTALS 67 MILLION OR 12.8% IS THE GENERAL FUND SHARE OF SUPPORT SERVICE COST AS WELL AS THE FUNDS, COMMUNICATION AND TECHNOLOGY NEEDS AND SHARE OF WORKERS' COMPENSATION AND LIABILITY RESERVE. I WOULD LIKE TO GO IN MORE DETAIL ABOUT TWO OF OUR BIGGEST REVENUE SOURCES, PROPERTY TAX AND SALES TAX. AND STARTING FIRST HERE WITH PROPERTY TAX. AS TOBY SAID, WE HAVE ONLY JUST RECEIVED OUR CERTIFIED TAX ROLLS FROM TRAVIS AND WILLIAMSON COUNTY. AND WITH THOSE ROLLS WE'VE ADJUSTED OUR TAX RATE CALCULATIONS AND PROPERTY TAX REVENUE. AT THIS POINT THE TAX RATES ARE CLOSE TO CERTAIN AND WILL ONLY CHANGE IF WE RECEIVE ADDITIONAL INFORMATION ON TAX REFUNDS GRANTED THIS YEAR. THIS PIECE OF INFORMATION WE DO NOT HAVE YET. THE ESTIMATED PROPOSED TAX RATE AS THE CITY MANAGER MENTIONED IS 39.85 CENTS OF OF THIS 21.6 CENTS IS DIRECTED TO THE GENERAL FUND FOR OPERATION AND MAINTENANCE EXPENDITURES. 13.66 CENTS GOES INTO OUR DEBT SERVICE FUND TO PAY DEBT SERVICE ON GENERAL OBLIGATION DEBT THAT WE HAVE ISSUED OVER THE YEARS. OUR PROJECTIONS OF CITY OF AUSTIN TOTAL ASSESSED VALUATION SHOW AN INCREASE OF 14.9% FOR TAX YEAR 2006 TO 60.2 BILLION. AND THIS IS WHAT'S DRIVING SUBSTANTIAL REDUCTION OF ABOUT 4.45 CENTS FROM OUR CURRENT YEAR TAX RATE TO OUR EFFECTIVE TAX RATE. THE FINAL ADOPTED TAX RATE FOR FISCAL YEAR 2007 TOP DETERMINED BY COUNCIL IN SEPTEMBER WILL BE APPLIED TO THESE CERTIFIED VALUES. WHETHER WE HAVE THE CERTIFIED TAX ROLLS, WE DO NOT YET HAVE THE FULL DATA SET THAT ALLOWS US TO SHOW YOU HOW EACH OF THE CATEGORIES OF PROPERTY, SINGLE-FAMILY RESIDENTIAL, MULTI-FAMILY, COMMERCIAL, PERSONAL PROPERTY AND LAND, HAVE CHANGED FROM LAST YEAR TO THIS YEAR. THE ONE PIECE WE DO HAVE IS NEW CONSTRUCTION, WHICH THIS YEAR TOTALS 1.7 BILLION. IT'S BECAUSE OF THIS NEW CONSTRUCTION WE WERE ABLE TO GENERATE ADDITIONAL PROPERTY TAX REVENUE. THIS NEXT CHART SHOWS CONTINUED GOOD NEWS FOR HOMEOWNERS. IN THE EARLY PART OF THE DECADE THE

TAX BURDEN SHIFTED TO HOMEOWNERS, AND FOR THE SECOND YEAR IN A ROW WE ARE ANTICIPATING THAT THIS TREND WILL CONTINUE TO REVERSE. THE TOP LINE IS THE PERCENTAGE OF OUR TOTAL ASSESSED VALUATION THAT IS COMPRISED OF SINGLE-FAMILY RESIDENTIAL PROPERTIES. BEGINNING IN 2001, SINGLE-FAMILY SHARE WAS ALMOST 50%. WE'RE NOW ANTICIPATING IT TO BE BACK DOWN TO 48%. [ONE MOMENT, PLEASE, FOR CHANGE IN CAPTIONERS] KNOW, AUSTIN IS ONE OF FIVE LOCAL TAXING JURISDICTIONS. FOR THE CURRENT FISCAL YEAR THE COMBINED TAX RATE IS \$2.74. OF WHICH AUSTIN COMPRISES 16.2%. FOR A TAX BILL ON THAT SAME \$175,000 HOME, AUSTIN'S SHARE OF THE TAX BILL IS \$775 OR 17.8%. OF THE TAX BILLS, THAT'S THE COUNTY SCHOOL DISTRICT BILLS ARE BASED ON HOW MUCH THAT TAXABLE VALUE. OVER THE NEXT SEVERAL WEEKS, WE WILL BE WORKING TO UPDATE THESE CHARTS TO REFLECT THE 2007 PROPOSED TAX RATES FOR EACH JURISDICTION. WE ANTICIPATE THAT THE SCHOOL TAX RATES AND BILL WILL BE DECREASING AS A RESULT OF THE RECENTLY PASSED LEGISLATION ON SCHOOL FINANCE. ADDITIONALLY, WE WILL BE GETTING THE RAW DATA OF THE -- OFF THE CERTIFIED ROLLS, WORKING ON CALCULATIONS OF HOME VALUES AND MEDIAN HOME VALUES FOR NOT ONLY AUSTIN BUT THE OTHER TEXAS CITIES. I MEANT TO ALSO COVER THE SECOND LARGEST SOURCE OF THE GENERAL FUND REVENUE, THAT'S OUR SALES TAX. IT COUNTS FOR NEARLY 29% OF THE TOTAL REVENUE THIS YEAR GENERATING \$150.7 MILLION. AUSTIN'S ECONOMY IS STRONG, GROWTH AND SALES TAX REVENUE IS STRONG. WE HAVE PROJECTED A CURRENT YEAR GROWTH RATE OF 10%, FOLLOWED BY AN ADDITIONAL 10% INCREASE FOR FISCAL YEAR 2007. HOWEVER, BASED ON ACTUAL MONTHLY SALES TAX COLLECTIONS, SINCE THE FORECAST, WE ARE NOW ESTIMATING OUR SALES TAX GROWTH TO BE 12.3% FOR THE CURRENT YEAR. GIVEN IN A OUR SALES TAX BASE IS NOW HIGHER, OUR PROPOSED GROWTH RATE FOR FISCAL YEAR 2007 IS 8.5% FOR SALES TAX. HOWEVER, EVEN WITH THIS SLIGHTLY LOWER GROWTH RATE THAN WE HAD USED DURING THE FORECAST, TOTAL REVENUE FOR THE UPCOMING FISCAL YEAR WILL BE \$1.1 MILLION HIGHER THAN WE PROJECTED IN THE FORECAST WHEN WE WERE USING A 10% GROWTH RATE. WELL, GROWTH PROJECTION IS

STRONG, TO REFLECT THE GROWING ECONOMY. THE PROJECTION HAS BEEN MADE KEEPING TWO TRENDS IN MIND. IN THE LAST TWO YEARS, ONE OCCASION WHEN WE HAD TWO CONSECUTIVE YEARS OF DOUBLE DIGIT TAIL SACKS GROWTH. WE BELIEVE OUR PROJECTIONS ARE STILL AGGRESSIVE, BUT ATTAINABLE. FROM 1996 TO 2005, TOTAL SALES TAX REVENUE FOR AUSTIN INCREASED 48%. AT THE SAME TIME, REVENUE FOR THE ENTIRE MSA GREW AT 115 PERCENT. AS CAN BE EXPECTED WITH A GROWING REGION, CONSUMERS HAVE MORE CHOICE ABOUT WHERE TO SHOP. AS YOU CAN SEE HERE, BOTH AUSTIN AND THE REGION ARE GROWING, AUSTIN'S SHARE OF TOTAL SALES TAX REVENUE HAS DIMINISHED FROM 74% IN 1996 TO 51% IN 2005. AGAIN, WE FEEL OUR SALES TAX GROWTH RATE OF 8.5 FOR FISCAL YEAR 2007 IS A STRONG GROWTH RATE. THE ONE THAT TAKES INTO ACCOUNT THE GROWING AND DIVERSIFYING REGIONAL CONSUMER MARKET. AND IN CONCLUDING THE REVENUE SIDE OF THE GENERAL FUND, HERE'S A SUMMARY OF THE GENERAL FUND REVENUE WITH A CHANGE FROM THE FISCAL YEAR 2006 BUDGETED AMOUNT FOR PROPERTY TAX, SALES TAX, UTILITY TRANSFERS, OTHER. INCLUDED IN THE OTHER CATEGORIES IS DEVELOPMENT REVENUE. PROJECT IT WILL BE INCREASING 30% NEXT YEAR. AN OUTLINE ON THE -- OUTLOOK ON THE REAL ESTATE MARKET PRESENTED IN APRIL. ALSO INCLUDED IS ADDITIONAL REVENUE OF \$1.4 MILLION ASSOCIATED WITH THE REVENUE INITIATIVE THAT WE MENTIONED TO YOU DURING THE POLICY BUDGET DISCUSSION IN MAY. EVERY TWO YEARS, OUR PRACTICE IS TO REVIEW EXISTING FEES AND EXPLORE NEW FEES APPROPRIATE TO THE SERVICES WE DELIVER. THIS YEAR WE PROPOSE INCREASED LIFE SUPPORT FEES CHARGED BY THE E.M.S. BY \$100, THESE RATES HAVE NOT BEEN ADJUSTED IN FOUR YEARS WHILE AT THE SAME TIME COSTS FOR E.M.S. SERVICES HAVE INCREASED 30%. THESE RATES PROPOSED STILL REMAIN BELOW 200 CITY AVERAGE AND LOWER THAN A MAJORITY OF THE SURVEYED AGENCIES IN OUR AREA. REVENUE FROM THIS FEE CHANGE IS ESTIMATED TO BE \$1.1 MILLION, WILL HELP FUND THE COSTS OF E.M.S. SERVICES. YOU WILL BE HEARING MORE ABOUT THIS FEE CHANGE AS WELL AS OTHERS OF THE REVENUE INITIATIVE DURING DEPARTMENTAL BUDGET BRIEFINGS THAT WILL

OCCUR DURING THE MONTH OF AUGUST. OVERALL GENERAL FUND REVENUE WILL BE INCREASING 33.7 MILLION, A 9% INCREASE COMPARED TO FISCAL YEAR 2006 AND IN ADDITION AS THE CITY MANAGER MENTIONED, WE NOW HAVE \$935,000 ADDITIONAL REVENUE RESULTING FROM THE CERTIFIED TAX ROLLS THAT WE JUST RECEIVED THIS WEEK. MOVING OVER TO THE EXPENDITURE SIDE, THIS PROVIDES YOU WITH AN OVERVIEW OF THE EXPENDITURE CATEGORIES. LATER IN THE PRESENTATION, THE CITY MANAGER WILL BE DRILLING DOWN INTO MORE DETAILS ON THE DEPARTMENTAL EXPENDITURES. AS WITH REVENUE, TOTAL EXPENDITURES ARE INCREASING 43.7 MILLION. PUBLIC SAFETY, COMPRISED OF POLICE, FIRE, EMS, AND OUR PUBLIC SAFETY EMERGENCY MANAGEMENT DEPARTMENT INCREASING 27.7 MILLION, ACCOUNTING FOR 63% OF THE TOTAL INCREASE. THE TOTAL INCREASE INCLUDES OUR COST DRIVERS SUCH AS PAY FOR PERFORMANCE, INSURANCE, PUBLIC SAFETY CONTRACTS, THE OPENING OF NEW FACILITIES, AS WELL AS THE 6.1 MILLION IN STRATEGIC ADDS THAT THE CITY MANAGER HAS MENTIONED. NOW I WOULD LIKE TO MOVE ON INTO OUR BUDGET STABILIZATION RESERVE FUND. THE BUDGET STABILIZATION RESERVE FUND WAS ESTABLISHED SEVERAL YEARS AGO. HOWEVER, IN 2006 COUNCIL AMENDED THE POLICY DURING BUDGET ADOPTION TO REFLECT THE FOLLOWING: FIRST, AT THE END OF EACH YEAR, ANY UNBUDGETED OR EXCESS REVENUE IN UNSPENT APPROPRIATIONS ARE DEPOSITED INTO THE BUDGET STABILIZATION RESERVE FUND, AS EXPECTED TO BE THE CASE FOR THIS CURRENT YEAR. THEN DURING THE BUDGET PROCESS, THE FUND MAY BE USED FOR CRITICAL CAPITAL AND ONE-TIME EXPENDITURES, BUT NOT TO EXCEED ONE THIRD OF THE TOTAL AMOUNT OF THE RESERVES, WITH TWO-THIRDS RESERVED FOR FUTURE YEAR USES. THE POLICY WAS ESTABLISHED TO PROVIDE GUIDELINES FOR CONTINUING JUDICIOUS USE OF THE RESERVE FOR THESE ONE-TIME EXPENDITURES IN CAPITAL ITEMS. DON'T LET THE TERMINOLOGY ONE-TIME EXPENSES AND CAPITAL ITEMS MISLEAD YOU. THESE ARE ITEMS THAT THE CITY NEEDS, IT HAS NORMALLY FUNDED THROUGH THE DEPARTMENT'S OPERATING BUDGETS IN PRIOR YEARS, TAKING THESE OUT OF THE DEPARTMENT'S BUDGETS, FUNDING THEM THROUGH

THIS RESERVE FUND HAS SIMPLY ALLOWED US TO BALANCE THE BUDGET. THE MAIN DIFFERENCE BETWEEN THESE ONE-TIME EXPENDITURES, THOSE THAT WE ARE SHOWING AT THE DEPARTMENTAL OPERATING BUDGETS, IS THAT THESE ONE-TIME EXPENDITURES COULD MORE EASILY BE DEFERRED IF ABSOLUTELY REQUIRED. BUT THE THINGS WE BUY WITH THESE RESERVE FUNDS ARE CRITICAL TO OUR DEPARTMENTS, THAT THEY NEED TO PROVIDE THE SERVICES THEY PROVIDE. THIS CHART SHOWS THE PROPOSED STABILIZATION, USES OF THE STABILIZATION -- ED FUND -- STABILIZATION RESERVE FUND. WE ARE ANTICIPATING TO BEGIN WITH A \$50.1 MILLION BALANCE, OF WHICH ONE THIRD OR 16.7 MILLION WOULD BE TRANSFERRED OUT FOR GENERAL FUND ONE-TIME COSTS, LEAVING TWO-THIRDS, 33.1 MILLION FOR FUTURE YEAR COSTS. HERE IN THE NEXT SLIDE IS A PROPOSED LIST OF THE ONE-TIME ITEMS THAT WE HAVE PROPOSED IN THE 2007 BUDGET. THIS TABLE PROVIDES YOU WITH A LIST OF THE ITEMS THAT WOULD BE FUNDED FROM THESE ONE-TIME MONEYS. THE LARGEST CHUNK IS FOR VEHICLE REPLACEMENTS. 6.9 MILLION. THIS WILL FUND CRITICAL REPLACEMENTS OF FOUR FIRE TRUCKS, 99 POLICE PATROL CARS AND FIVE AMBULANCES, AS WELL AS VEHICLES FOR PARKS, HEALTH, AND OUR WATERSHED DEPARTMENT. WE CONTINUE ON OUR REPLACEMENT SCHEDULE FOR COMPUTERS AND TECHNOLOGY, INCLUDING \$1.9 MILLION. FOR THE SECOND YEAR IN A ROW, WE ARE PROPOSING A 2% LUMP SUM SERVICE INCENTIVE ENHANCEMENT FOR OUR CIVILIAN WORKFORCE. FOR 2007, THIS IS \$2.3 MILLION. IN MAY OF 2005, THE CITY COUNCIL APPROVED A PLAN TO PROVIDE SUPPLEMENTAL FUNDING TO THE CITY OF AUSTIN EMPLOYEE RETIREMENT SYSTEM. OF THE 3 RETIREMENT SYSTEMS, EST HAS THE GREATEST -- E.R.S. HAS THE GREATEST UNFUNDED LIABILITY. THIS ONE PERCENT SUPPLEMENTAL FUNDING FOR THE GENERAL YEAR IN SUPPORT SERVICES IS ESTIMATED TO BE 1.3 MILLION. WE HAVE ALSO INCLUDED 2.4 MILLION FOR FIRE DEPARTMENT OVERTIME COSTS AS A RESULT OF LAST YEAR'S CANCELLED CADET CLASS, FIRE OVERTIME HAS BEEN HIGHER THAN TYPICALLY EXPECTED. THIS ADDITIONAL ONE-TIME FUNDING WILL PROVIDE RESOURCES TO COVER THIS ADDITIONAL OVERTIME THROUGH FEBRUARY 2007, WHEN A NEW FIRE

CADET CLASS IS EXPECTED TO GRADUATE AND BRING OVERTIME LEVELS BACK DOWN TO THE EXPECTED LEVELS. ALSO INCLUDED CAP FALL NEEDS OF \$1.3 MILLION. ITEMS TO MEXICAN AMERICAN CULTURAL CENTERS, TURNER ROBERTS, TOWN LAKE PARK AS WELL AS MUCH NEEDED FORENSIC EQUIPMENT FOR THE POLICE DEPARTMENT. FINALLY, THE ONE-TIME LIST INCLUDES FUNDING FOR CAPITAL IMPROVEMENTS OF 1.3 MILLION. I JUST WANTED TO HIGHLIGHT TWO OF THOSE. INCLUDED IS 500,000 BARTON SPRINGS POOL THAT WOULD BEGIN TO ADDRESS A VARIETY OF INFRASTRUCTURE ISSUES THROUGHOUT THE POOL SUCH AS RESTROOMS, HVACS AND ROOFS AND OTHER INFRASTRUCTURE ISSUES AT THE POOL. THEN ALSO INCLUDED IN THIS 1.3, IS 500,000 FOR FUNDING OF OTHER POOL REHABILITATION PROJECTS THAT COULD NOT FIT INTO THE FINAL 2006 BOND ELECTION PACKAGE. SUCH AS ELECTRICAL UPGRADES, BACK WASH, WATER DISCHARGE SYSTEMS, OUR GOAL FOR ONGOING YEARS IS TO INCLUDE THESE AMOUNTS AS WELL. THE TOTAL OF THE ONE-TIME NEEDS IS 17.4 MILLION. WHICH IS COVERED WITH THE 16.7 MILLION TRANSFER FROM THE STABILIZATION RESERVE FUND. PLUS \$700,000 IN SAVINGS THAT WE HAVE REALIZED THIS YEAR IN ONE-TIME FUNDING. WITH THAT, I WILL TURN IT BACK OVER TO THE CITY MANAGER TO WALK YOU THROUGH THE CITIZEN SURVEY.

Futrell: THANKS, GREG. I WOULD LIKE TO START BY TALKING ABOUT THE CITIZEN SURVEY. ONE OF THE TOOLS THAT WE USE DURING THE BUDGET PROCESS IS OUR ANNUAL CITIZEN SURVEY. IT HELPS US ANALYZE WHERE WE MAY NEED TO INVEST TO IMPROVE OUR SERVICE DELIVERY. EVERY YEAR WE ASK OUR CITIZENS TO COMPLETE AN EXTENSIVE SURVEY IN WHICH WE TRY TO DO TWO THINGS. ONE, ATTEMPT TO IDENTIFY CITIZEN PRIORITIES AND CONCERNS. AND THEN, TWO, GAUGE CITIZEN SATISFACTION WITH OUR CURRENT SERVICE DELIVERY. WE ANALYZE RESPONSES WE RECEIVE IN A VARIETY OF DIFFERENT WAYS. CITY-WIDE, BY WHAT PART OF THE CITY WE LIVE IN, BY ETHNICITY, BY HOUSEHOLD INCOME, WE SLICE AND DICE THE DATA A NUMBER OF WAYS TO TRY TO UNDERSTAND PRIORITIES AND SATISFACTION. TODAY I'M GOING TO PROVIDE YOU WITH THE HIGHLIGHTS OF THE SURVEY RESULTS. A DRAFT COPY OF

THE ENTIRE SURVEY REPORT WILL BE PROVIDED TO EACH OF THE COUNCILMEMBERS ALONG WITH THE BUDGET DOCUMENTS THAT ARE BEING DELIVERED TO YOUR OFFICE TODAY. SO LET'S START WITH THE FIRST ONE. LET'S START WITH PRIORITIES AND CONCERNS. AS PART OF THE SURVEY, WE ALWAYS ASK, AN OPEN ENDED QUESTION, ABOUT THE CONCERNS OF CITIZENS. THIS YEAR WHEN WE ASKED AUSTINITES TO CITE THE MOST IMPORTANT ISSUES THAT AUSTIN FACES, THE SAME TOP THREE ISSUES EMERGED ACROSS EVERY AREA OF THE CITY. WHETHER IT WAS EAST OR WEST OR NORTH OR SOUTH. ONE WAS ROAD CONDITIONS AND NEW ROADS, TWO, GROWTH MANAGEMENT, AND THREE, THE COST OF LIVING IN AUSTIN. IN FACT ROAD CONDITIONS AND NEW ROADS WERE THE NUMBER ONE CONCERN IN EACH AREA OF THE CITY SURVEYED. BEYOND THOSE CONCERNS, AUSTINITES ALSO RANKED OTHER ISSUES OF IMPORTANCE THAT YOU SEE HERE. THE FOURTH MOST EXPRESSED CONCERN WAS TAX OR FEE RELATED ISSUES. MASS TRANSIT WAS FIFTH. POLLUTION CONTROL, QUALITY OF LIFE ISSUES AND THAT INCLUDES GREEN SPACE, ARTS AND THE LIKE, PUBLIC EDUCATION, WATER QUALITY AND WATER SUPPLY AND FINALLY MANAGEMENT OF THE BUDGET. WHEN WE ASKED OUR CITIZENS TO RANK THE PRIORITY OF SERVICES THAT THEY RECEIVED FROM THE CITY, THEY RESPONDED IN THE ORDER THAT YOU SEE HERE, IT'S NO SURPRISE, LIKE EVERY SURVEY THAT WE HAVE DONE IN THE 30 YEARS SINCE I HAVE BEEN HERE, PUBLIC SAFETY IS THE TOP OF THAT PRIORITY LIST. IT'S -- IT'S LED BY POLICE. THEN EMERGENCY MEDICAL SERVICES AND THEN FIRE. AUSTIN CITIZENS RANKED ENVIRONMENTAL PROTECTION, THE QUALITY OF OUR DRINKING WATER AND THE PRESERVATION OF GREEN SPACE AS THEIR HIGHEST PRIORITY FOLLOWING PUBLIC SAFETY. A FIFTH AND CONTINUING PRIORITY IS AFFORDABLE HOUSING. AND FOLLOWING THOSE TOP FIVE, YOU SEE IN ORDER TRAFFIC FLOW AND SYNCHRONIZATION, AFFORDABLE HOUSING, HEALTH CARE AND SOCIAL SERVICES TO LOW INCOME CITIZENS, PARKS, LIBRARIES AND ECONOMIC DEVELOPMENT EFFORTS. NOW, LET'S MOVE TO THE SECOND DIMENSION OF THE CITIZENS SURVEY AND THAT'S CITIZEN SATISFACTION. IN SURVEYING CITIZEN SATISFACTION WITH THE QUALITY OF SERVICES THEY

RECEIVE FROM THE CITY, OVERALL OUR CITIZENS VOICED SLIGHTLY HIGHER DEGREES OF SATISFACTION FOR PUBLIC SAFETY SERVICES THAN THEY DID LAST YEAR. THIS HAS BEEN THE CASE HISTORICALLY, FIRE AND E.M.S. RATED HIGH IN TERMS OF SATISFACTION, WITH POLICE SOMEWHAT LOWER. IN PARTICULAR MINORITY RESIDENTS EXPRESSED LESS SATISFACTION WITH POLICE SERVICES AND IN FACT PUBLIC SAFETY SERVICES IN GENERAL THAN OTHER RESIDENTS. SATISFACTION WITH OUR PARKS DEPARTMENT PROGRAMS, WHILE IN THE SOMEWHAT HIGH RANGE, IS LOWER THAN 2005. THE MOST SIGNIFICANT DROP OCCURRED IN THE APPEARANCE OF OUR PARKS GROUNDS AND PARKS FACILITIES. NOW, IN THE ONE-TIME LIST DISCUSSION, WE HAVE INCLUDED, THIS IS ACTUALLY SOMETHING THAT'S VERY IMPORTANT TO ME, \$500,000 THAT WE WANT TO START PUTTING IN THIS UPCOMING YEAR AND THEN EVERY YEAR AFTER THAT, FOR THE REHABILITATION OF BARTON SPRINGS POOL. AND ANOTHER \$500,000, AS YOU HEARD GREG TALK, OF DOLLARS FOR THE RENOVATION AND MAINTENANCE OF OUR OTHER POOLS THAT COULDN'T FIT INTO THE BOND PROPOSAL. NOW, BOTH OF THESE THINGS WILL PARTIALLY ADDRESS THE CONCERNS THAT YOU SAW IN THE SURVEY. IF VOTERS APPROVE PROPOSITION 3 OF OUR NOVEMBER BOND PACKAGE, IT WOULD LIKEWISE ADDRESS SOME OF THE CONCERNS ABOUT THE CONDITIONS OF OUR PARK FACILITIES. OF THE 64.7 MILLION FOR PARK FACILITIES INCLUDE UNDERSTAND THAT PROPOSED BOND PACKAGE, 53 MILLION IS TARGETED TO RENOVATE OUR BUILDINGS, FACILITIES, POOLS AND PARK INFRASTRUCTURE. AND FINALLY, THE PROPOSED BUDGET IN FRONT OF YOU TODAY INCLUDES FUNDING FOR FIVE ADDITIONAL PARKS MAINTENANCE STAFF. NOW, ABOUT 60% OF OUR CITIZENS INDICATED THAT THEY USED LIBRARY SERVICES DURING THE YEAR. THE OVERALL RATING HAS INCREASED SLIGHTLY OVER LAST YEAR, AS HAS SATISFACTION WITH THE AVAILABILITY OF MATERIALS AT THE LIBRARIES. SATISFACTIONS WITH THE CITY'S EFFORTS TO IMPROVE THE QUALITY OF LIFE IN AUSTIN IS HIGH. ESPECIALLY WHEN IT COMES TO NEIGHBORHOOD LIVABILITY AND DOWNTOWN VITALITY. SURVEY RESULTS ALSO CONTINUE TO SHOW THAT AUSTIN RESIDENTS ARE LIKEWISE SATISFIED WITH THE QUALITY OF OUR ENVIRONMENTAL

PROGRAMS, CONSERVATION, CLEAN WATER, PRESERVATION OF GREEN SPACE AND ALTERNATIVE TRANSPORTATION MODES. THE PRESENTATION OF GREEN SPACE SLIPS SOMEWHAT COMPARED TO THE 2005 SURVEY RESULTS. BUT IT WAS STILL HIGHER THAN THE RESULTS FOR 2003 AND 2004. AND JUST AS A REMINDER, ONCE AGAIN THE NOVEMBER BOND PACKAGE INCLUDES \$50 MILLION FOR THE ACQUISITION OF OPEN SPACE. AND THAT INCLUDES FEE TITLE AND CONSERVATION EASEMENTS IN THE BARTON SPRINGS ZONE, CONTRIBUTING AND RECHARGE ZONES. IT ALSO CONTAINS ANOTHER \$20 MILLION FOR THE PURCHASE OF PARKLAND. SO IF PASSED THIS SHOULD ALSO HELP US FAVORABLY IMPACT THESE RATINGS IN THE FUTURE. ALTHOUGH SATISFACTION WITH SERVICES THAT MAINTAIN AND REPAIR OUR INFRASTRUCTURE IS NOT AS HIGH AS IN OTHER AREAS, THERE WAS SIGNIFICANT IMPROVEMENT IN SEVERAL AREAS. FOR THE FIRST TIME, SURVEY RESPONSES INDICATE THAT CITIZENS SEE SIGNIFICANT IMPROVEMENT IN THE ROAD CONDITIONS IN AUSTIN. AND I HONESTLY THOUGHT THAT I WASN'T GOING TO LIVE LONG ENOUGH AS CITY MANAGER TO SEE THAT RESULT. ABOUT 70% OF THE RESPONDENTS VIEW ROAD CONDITIONS AS GOOD OR MOSTLY GOOD. AND THAT'S COMPARED TO ONLY 62% LAST YEAR. SATISFACTION WITH TRACK FLOW AND TRAFFIC SIGNALIZATION TIMING HAS ALSO INCREASED COMPARED TO 2005. YET CITIZENS REMAIN DISSATISFIED WITH ROAD CONDITIONS AND TRAFFIC FLOW OVERALL. THEY RANK THIS, AS I'VE SAID BEFORE, AS THEIR NUMBER ONE CONCERN IN THE COMMUNITY. NOW, WHAT -- WHILE NOT HIGHLIGHTED ON THIS CHART, WE HAD ANOTHER PHENOMENON THAT OCCURRED IN THE CITIZENS SURVEY. THE AREA THAT I WANT TO MENTION IS AN AREA WHERE SATISFACTION RESULTS DECLINED FROM PREVIOUS YEARS. THE STORMS THAT SWEEPED THROUGH AUSTIN THIS SPRING COINCIDED WITH THAT OF THIS SUR-- WITH THE ADMINISTRATION OF THIS SURVEY. IT APPEARS TO HAVE AFFECTED THE SURVEY RESULTS FOR QUESTIONS RELATED TO ELECTRIC SERVICE RELIABILITY, TIMELY RESPONSES TO POWER OUTAGES AND TREE TRIMMING AROUND POWER LINE, ALL OF WHICH SHOWED DECREASED LEVELS OF SATISFACTION COMPARED TO PRIOR YEARS. AND WE HAD PERFECT TIMING THERE. AUSTIN ENERGY AND OTHER CITY DEPARTMENTS

RESPONDED IN AN AFTER-ACTION REPORT TO THIS STORM EVENT. AMONG THE MANY CORRECTIVE ACTION STEPS THAT ARE PLANNED, ONE OF THOSE PLANS IS TO IMPLEMENT AN AUTOMATED ALERT SYSTEM FOR A MORE PROACTIVE IDENTIFICATION AND TROUBLESHOOTING OF LIKELY OUTAGE AREAS BY AUSTIN ENERGY. NOW LET'S MOVE ON TO REINVESTING IN THE WORKFORCE. WE ARE NOW AT THE END OF OUR FIRST FULL YEAR. THIS IS A GROUP THAT I HAVE COME TO RELY ON FOR A WHOLE VARIETY OF ISSUES WE ARE WORKING ON IN THE COMMUNITY. AND IN THE ORGANIZATION. NOW, THESE EMPLOYEES REPRESENT THEIR INDIVIDUAL DEPARTMENTS, THEY ARE NOMINATED AND ELECTED BY THEIR CO-WORKERS. LAST YEAR THE YEAR WE HAD OUR FIRST ELECTION, WELL OVER 50% OF OUR CITY-WIDE WORKFORCE VOTED IN THE EMPLOYEE WORKFORCE COMMITTEE ELECTIONS. THAT MAY BE THE BEST VOTING RECORD WE'VE HAD IN AUSTIN IN SOME TIME. I CONDUCT MONTHLY MEETINGS WITH THIS GROUP AS WELL AS A NUMBER OF SPECIAL CALLED MEETINGS ON A VARIETY OF ISSUES. THE GROUP HAS WORKED VERY HARD AND IT'S CONTRIBUTED GREATLY TO A LOT OF WHAT YOU ARE GOING TO SEE IN THE EMPLOYEE BENEFIT PACKAGE TODAY. I DON'T KNOW HOW MANY OF OUR GROUP WAS ABLE TO COME TODAY IN THE MIDDLE OF A WORK DAY, BUT I WOULD LIKE TO ACKNOWLEDGE THE COMMITTEE MEMBERS THAT ARE HERE. IF I HAVE GOT ANY FOLKS IN THE AUDIENCE FROM THE EMPLOYEE WORKFORCE COMMITTEE, WOULD YOU STAND OR RAISE YOUR HAND FOR ME. THERE WE GO. THIS IS A HARD WORKING GROUP. YOU ALL. THANK YOU ALL. WHAT I'M GOING TO DO RIGHT NOW IS I'M GOING TO INVITE THE CHAIRS OF THE FOUR SUBCOMMITTEES OF THE EMPLOYEE WORKFORCE COMMITTEE TO BRIEFLY GIVE YOU AN OVERVIEW OF WHAT THEY HAVE BEEN WORKING ON. START FIRST UP WITH CHRISTIE FENTON WHO REPRESENTS THE COMPTROLLER'S OFFICE IN FINANCIAL SERVICES. THE CHAIR OF THE PERFORMANCE EVALUATION SYSTEM SUBCOMMITTEE. HI, I'M REPRESENTING THE SUCCESS STRATEGY PERFORMANCE REVIEW, BASED ON PRIORITY ISSUES SUBMITTED BY THE WORKFORCE COMMITTEE MEMBERS AND BACK FROM THE CITY MANAGER, A SUBCOMMITTEE EXPLORED ON HOW WE CAN ENHANCE THIS SSPR PROGRAM. THOSE PROPOSED ENHANCEMENTS QULU

[INDISCERNIBLE] A DISTINCTION BETWEEN REWARD AND RECOGNITION, A CLEAR DEFINITION AND UNDERSTANDING OF PERFORMANCE RATINGS, A PROPOSED CHANGE TO A 5-POINT RATING SCALE, AROUND A PROPOSED CHANGE ON HOW TO REWARD PERFORMANCE RATINGS. CURRENTLY, THE SUBCOMMITTEE IS COLLECTING FEEDBACK FROM SURVEYS SUBMITTED TO -- TO -- DURING PRESENTATIONS TO BE MADE TO THE DIRECTORS, CMO TEAM, CITY MANAGER, AND EMPLOYEE WORKFORCE COMMITTEE. WE PLAN ON USING THAT INFORMATION THAT WE COLLECT TO MAKE OUR FINAL RECOMMENDATIONS TO THE CITY MANAGER AND EMPLOYEE WORKFORCE COMMITTEE.

DO YOU HAVE SOME MEMBERS OF YOUR SUBCOMMITTEE BEHIND YOU?

I HAVE A FEW OUT IN THE AUDIENCE.

ALL RIGHT. NEXT WE HAVE UP THE CHAIR, THANKS, CHRISTIE, APPRECIATE IT. NEXT THE CHAIR OF THE PAY FOR COMPENSATION SUBCOMMITTEE, GLEN WISDOM, DO WE HAVE GLEN HERE? MISSED HIM? OKAY.

IT WILL BE EASIER.

Futrell: THERE YOU GO. GLEN REPRESENTS AUSTIN ENERGY.

I'M BACK THIS YEAR TO TRY TO BRIBE YOU WITH A \$2 BILL.

Futrell: DON'T REMIND EVERYBODY.

THE PAY SUBCOMMITTEE THAT I WORKED WITH, WE WORKED ON AN ISSUE THAT -- THAT SEEMS NEAR AND DEAR TO QUITE A FEW OF OUR EMPLOYEES, THAT'S [INDISCERNIBLE] PAY. SOMETIMES PEOPLE DON'T TAKE THIS AS SOMETHING THAT'S VERY IMPORTANT. IT'S A VERY DIFFICULT ISSUE TO WORK ON BECAUSE IT DOESN'T AFFECT EVERYBODY. BUT AUSTIN IS A LIVABLE CITY AND WE NEED TO BE LIVABLE FOR ALL OF OUR CITIZENS. 38% SPANISH SPEAKING GROUP WE NEED AN OPPORTUNITY FOR THOSE ONES TO ENJOY ALL OF OUR CITY SERVICES JUST LIKE WE DO. WE FELT IT'S IMPORTANT TO COMPENSATE OUR EMPLOYEES THAT ARE IN A POSITION THAT NEED TO SPEAK

SPAN ANY, BECAUSE IT'S -- SPANISH, BECAUSE IT'S AN ONGOING THING THAT THEY HAVE TO DO. SOMETIMES IT PULLS THEM AWAY FROM THEIR WORKFORCE. WE SURVEYED A FEW CITIES, DALLAS, SAN ANTONIO, THEY PAY BILINGUALLY. IT'S OUR OPPORTUNITY TO STEP UP TO THE PLATO PLANT -- PLATE TO PLANT A SEED SO OUR EMPLOYEES CAN HAVE THAT OPPORTUNITY, ALSO, WE DO HAVE A FEW HERE IN THE CITY THAT ALREADY MAKE A BILINGUAL STIPEND. WHAT WE ARE LOOKING FORWARD TO IS TO PUT THIS INTO THE BUDGET AND START OUT SMALL AND SEE WHERE IT GOES FROM THERE BECAUSE IT'S SOMETHING THAT WE NEED TO WORK ON. FOR THE NEXT YEAR WE WILL BE WORKING ON A FEW OTHER ISSUES. THAT'S ALL THAT I HAVE.

GREAT, THANKS, OUR THIRD SUBCOMMITTEE IS EMPLOYEE RELATIONS AND COMMITMENT. THIS -- HERE TO SPEAK IS MARY LEE RATCLIFFE OF THE LIBRARY.

GOOD AFTERNOON, RETAIL REHABILITATION IS A HOT BUTTON WORD, SEEMS TO KEEP COMING UP IN THE CITY'S TOWN HALL MEETINGS, FEEDBACK RECEIVED THROUGHOUT THE CITY. RESPONSES FROM THE 2006 LISTENING TO THE WORKFORCE SURVEY INDICATE WITH ONLY 48% OF CITY EMPLOYEES FEEL COMFORTABLE EXPRESSING UNETHICAL CONCERNS WITHIN THEIR WORK GROUP OR DIVISION WITHOUT EXPERIENCING SOME KIND OF RETALIATION OR FEAR THEREIN. ASSESSING THIS INFORMATION AND THE INPUT RECEIVED THROUGH THE CITY MANAGER'S COMMITTEE, WE BELIEVE THAT TRUST AND ACCOUNTABILITY ARE VALUES MOST CLOSELY ASSOCIATED WITH THIS PERCEPTION. TO GAIN A BETTER UNDERSTANDING OF THIS COMPLEX ISSUE, WE HAVE RECENTLY SENT OUT AN EXHAUSTIVE 3 PAGE SURVEY, TO OVER 1300 CITY EMPLOYEES. THESE ARE FRONT LINE EMPLOYEES, THEY WERE RANDOMLY SELECTED AND WE RECEIVED APPROXIMATELY 30% IN RETURN. IN THE COMING MONTHS, WE WILL BE INTERPRETING THIS DATA. MAKING RECOMMENDATIONS TO THE CITY MANAGER SO THAT WE CAN BETTER UNDERSTAND AND GET CLOSER TO RESOLVING THESE CONCERNS.

Futrell: THANKS, THAT'S ACTUALLY BEEN A VERY TOUGH

ISSUE. SPENDING A LOT OF TIME ON IT.

MARY LEE, YOUR FIRST QUESTION FROM THE DAIS HERE.

McCracken: I THINK THAT'S A TROUBLING STATISTICS.

Futrell: IT IS.

McCracken: THE FACT THAT THERE'S THAT LEVEL OF CONCERN WITHIN THE WORKFORCE ABOUT ISSUES OF RETALIATION AND CAN YOU GIVE US YOUR ANECDOTAL INFORMATION, ABOUT WHAT PROTECTIONS OR WHAT STORIES YOU HEARD? THAT CONCERN.

WELL, THIS -- THIS NUMBER WAS TROUBLING TO US, ALSO, PARTICULARLY BECAUSE IN 2002 THAT STAT CENTRAL TEXAS WAS AT 56, SO IT'S DROPPING. THE MORE WE INVESTIGATE THIS NOTION WE FIND THAT RETALIATION MEANS VERY DIFFERENT THINGS TO DIFFERENT PEOPLE. SO THE ISSUE ITSELF IS A LITTLE LARGER THAN IT SORT OF SEEMS ON THE SURFACE, THE STRAIGHT AND NARROW DEFINITION OF RETALIATION AS IT PERTAINS TO THE LAW IS SOMETHING WE ARE FINDING THAT -- THAT ISN'T EXPERIENCED MUCH. WE ARE NOT FINDING EVIDENCE OF ACTUAL LEGAL RETALIATORY EXPENSES. BUT OF A MORE PERSONAL NATURE PERHAPS. WHICH ARE PERHAPS VERY IMPORTANT, BUT DON'T FIT WITHIN WHAT YOU MIGHT THINK OF AS LEGAL RETALIATION.

[INDISCERNIBLE]

Futrell: BRINGING YOU BACK MORE INFORMATION ON THIS. THE REASON THIS BECAME ONE OF FOUR, YOU CAN IMAGINE ALL OF THE ITEMS THIS GROUP COULD HAVE WORKED ON THIS YEAR, WE CHOSE THIS ONE SPECIFICALLY BECAUSE OF THIS. AND WHERE HE WANT TO BE SURE THAT WE UNDERSTAND EXACTLY WHAT IT DOES MEAN AND HOW IT'S MANIFESTING ITSELF. WE HAVE ALREADY TALKED ABOUT SUPERVISORY TRAINING AS ONE WAY TO TRY TO GET OUR ARMS AROUND IT. DIFFERENT REPORTING STRUCTURES. MAKING THE ASSETS AND RESOURCES AVAILABLE MORE BROADLY. MAKING SURE PEOPLE KNOW THAT THE RESOURCE IS AVAILABLE HOTLINES AND WAYS TO RECORD

FEELINGS OF RETALIATION, THINGS LIKE THAT. DID YOU ALL FIND THERE WAS ANY DEPARTMENT OR ENTERPRISE, WHERE PICKING UP MORE OF THIS CONCERN THAN OTHER.

IN ONE PLACE OR ANOTHER, WE ARE REALLY STILL LOOKING AT THAT. WE JUST GOT THE DATA BACK A WEEK OR TWO AGO. WE DO HAVE THAT. ANCE FOR YOU RIGHT NOW, THOUGH.

Futrell: I WILL TELL YOU I WISH IT WAS THAT SIMPLE IF YOU FOUND A CONCENTRATED HOT SPOT IT WOULD BE MUCH EASIER TO ADDRESS. WHAT I HAVE FOUND IN TOWN HALL MEETINGS, IT'S -- IT'S WIDE-SPREAD. IT'S A -- IT'S A FEELING AND A CULTURE ISSUE THAT WE ARE GOING TO NEED TO GET OUR ARMS AROUND. IT WOULD BE EASIER FOR US IF YOU COULD FIND IT. I INVESTIGATION IT WOULD BE HELPFUL TO FIND WHAT THIS INFORMATION IS, CONCENTRATED, ALSO GET SOME SENSE OF WHAT SORT OF -- WHAT WE CAN DO STRUCTURALLY IN THE ORGANIZATION TO PUT IN -- BECAUSE IF THERE'S -- IF PEOPLE IF THERE IS A PROSPECT RETALIATION, A CHALLENGE ATMOSPHERE. SO, YOU KNOW, THAT'S OBVIOUSLY IMPORTANT, WE BUILD IN STRUCTURAL PROTECTIONS. WHAT I'M SAYING IT WOULD BE HELPFUL TO GET A FOLLOW-UP REPORT.

Futrell: YOU MAY THEN LET ONE OF OUR SUBCOMMITTEES COME AND GIVE YOU THE BRIEFING WHEN WE ARE DONE WITH THE REPORT. YOU HAVE A GOOD GROUP OF EMPLOYEES WORKING ON THIS, WIDE-SPREAD AMONG ALL DEPARTMENTS, PAYING A LOT OF ATTENTION TO IT.

COUNCILMEMBER LEFFINGWELL.

I AGREE IT WOULD BE VERY IMPORTANT TO KNOW IF THERE WAS SOME LOCALIZATION OF THESE KINDS OF COMPLAINTS, THAT WOULD TELL US IF IT'S A SYSTEMIC PROBLEM OR A PEOPLE PROBLEM. SO I WOULD REALLY LIKE TO HEAR ABOUT THAT. BUT GOING BEYOND THAT, I -- YOU KNOW, I BELIEVE WE JUST PASSED A RESOLUTION AT THIS COUNCIL ANNOUNCING THAT THE CITY WOULD CONTINUE TO -- TO PROVIDE WHISTLE BLOWER PROTECTION, DESPITE THE CONTRARY SUPREME COURT RULING. AND I THINK -- MAYBE WE NEED TO GET THAT INFORMATION OUT THERE BETTER

TO THE EMPLOYEE GROUP.

THE ONLY NOTE THAT I WILL MAKE WHAT WE HAVE FOUND IS THIS HAS MORE TO DO WITH A SENSE OF FAIRNESS. LOOKING AT WHAT OTHER WORDS ARE BEING USED. BEING LUMPED TOGETHER UNDER THIS WORD, BUT IT IS A -- IT IS A -- IT'S A SOFTER, EVERY BIT IS TROUBLING, BUT SOFTER ISSUE. THINGS LIKE YOU'RE A FAIR CHANCE AT A JOB PROMOTION. GOING INTO AN INTERVIEW PROCESS, YOU THINK THERE'S A LEVEL PLAYING FIELD. PROMOTIONS. GIVE SOME OTHER THOUGHTS THERE. THERE YOU GO. [INDISCERNIBLE] IT'S EXACTLY THAT KIND OF THING. EVERY BIT IS TROUBLING. THAT'S EXACTLY WHAT WE ARE EXPLORING RIGHT NOW.

I AGREE WITH THAT. BUT I DO THINK THAT EVEN THOUGH THE COMPLAINTS ARE SOFT, THEY DO HAVE THE POTENTIAL TO BECOME LEGAL COMPLAINTS.

OH, YEAH.

IT'S A TROUBLESOME ISSUE, THE NUMBER ONE PIECE THAT WE ARE WORKING ON HERE.

Martinez: HOW FOCUSED IS THE ANALYSIS THAT WE ARE DOING ON THIS ISSUE? ARE WE ACTUALLY TRYING TO GIVE THE EMPLOYEES SPECIFIC DEFINITIONS AS OPPOSED TO JUST THIS GENERAL BROAD DEFINITION?

WHAT WE HAVE DONE EMPLOYEES ARE USING THE WORK INTERCHANGEABLY, THE REASON THE EMPLOYEE GROUP SURVEYED WITH VERY SPECIFIC QUESTIONS IS TO TRY TO TAKE THAT ONE WORD AND PUT IT INTO THE CATEGORIES WHERE PEOPLE FEEL LIKE IT'S HAPPENING, SO WE CAN GET OUR ARMS AROUND WHERE IT IS, WHAT OTHER WORDS REALLY COULD BE USED TO DESCRIBE IT. RIGHT NOW IT'S A NUMBER OF ISSUES JUST ALL CHUNKED UP INTO THAT SINGLE WORD. BUT WHEN YOU GO IN AND ASK A SINGLE QUESTION, IT COULD BE SOMETHING MORE RELATED TO WHETHER THEY GOT A JOB PROPER...PROMOTION THAT THEY APPLIED FOR. THERE ARE A VARIETY OF OTHER THINGS, OFFICE ASSIGNMENTS, TRAINING. THOSE WHO ARE SELECTED AND PICKED FOR TRAINING OPPORTUNITIES. IT

HAS MORE TO DO ALMOST WITH FAIRNESS. A FEELING OF EMPLOYEES THAT -- THAT THERE'S NOT ALWAYS A LEVEL PLAYING FIELD. IN THE WORKPLACE. WE ARE GOING TO SEE WHAT IT GIVES US, THEN TRY TO GET MORE LASER LIKE FROM THERE. WE HAVE DONE THE SURVEY, I'M INCLUDED IT IN MY DISCUSSION OF ALL OF MY TOWN HALL MEETINGS. WE'VE HAD A -- MEETINGS WITH OUR DIRECTORS AND EXECUTIVE TEAM ON IT. WE HAVE EVEN THOUGHT ABOUT BRINGING IN SOME TRAINING, SOME OUTSIDE CONSULTING WORK TO HELP US. BUT FIRST WE ARE GOING TO TRY TO GET OUR ARMS AROUND IT. ALL RIGHT. THEN LASTLY, WELL, WE HIT A HOT BUTTON THERE. LASTLY, REBA REED, WITH BUILDING SERVICES, ON THE BENEFITS SUBCOMMITTEE.

GOOD AFTERNOON, I'M PLEASED TO ANNOUNCE THAT THE BENEFITS SUBCOMMITTEE ARE HAPPY TO ANNOUNCE SEVERAL ACCOMPLISHMENTS THIS YEAR. ONE IN PARTICULAR IS THE ADDITIONAL HOLIDAY. WE RECOMMENDED TO THE CITY MANAGER A POLICY CHANGE THAT WOULD PROVIDE EMPLOYEES TWO WORK DAYS OFF DURING CHRISTMAS, REGARDLESS OF WHEN THE CHRISTMAS HOME DAYS FALL IN THE WEEK. ALSO RECOMMENDED INCREASED VACATION [INDISCERNIBLE] PREMIUM DENTAL PLAN OFFERING A HIGHER LEVEL OF COVERAGE AT A HIGHER PREMIUM. CITY EMPLOYEES NOW WILL HAVE TWO OPTIONS OF DENTAL CARE TO CHOOSE FROM. THE DENTAL ASSISTANCE PLAN, WHICH OFFERS BASIC DENTAL COVERAGE AND THE PREMIUM DENTAL PLAN. IN ADDITION TO INCREASING CALENDAR MAXIMUM COVERAGE AT A LIFETIME MAXIMUM COVERAGE, THE PREMIUM DENTAL PLAN WILL COVER THINGS LIKE NIGHT GUARDS, SPLINT, IMPLANTS AND DENTURES. IT WILL ALSO INCREASE COVERAGE FOR FILLINGS, CROWNS AND OTHER SERVICES. ONE OF OUR CURRENT PROJECTS THAT WE ARE WORKING ON IS WORKING -- WE HAVE BEEN CHOSEN BY THE CITY MANAGER TO -- TO WORK ON THE CHILD CARE TASK FORCE. TO PROVIDE RECOMMENDATIONS TO IMPROVE ACCESS AND AVAILABILITY TO CHILD CARE SERVICES FOR CITY EMPLOYEES THAT ARE WORKING [INDISCERNIBLE] HOURS. WE ALSO ARE CONSTRUCTING A RECOMMENDATION TO STANDARDIZE A CITY POLICY TO ALLOW EMPLOYEES TO HAVE PRESCRIPTION SAFETY GLASSES AS REQUIRED. ALSO

A RECOMMENDATION FOR A HARD COPY, CITY-WIDE EMPLOYEE PUBLICATION THAT WILL IMPROVE COMMUNICATION, AWARENESS AND UNDERSTANDING MUCH THE CITY. IT WILL COVER TOPICS SUCH AS COUNCIL CHANGES, EXECUTIVE APPOINTMENTS, NEW POLICIES, UPDATES, EMPLOYEE RECOGNITION AND HIGHLIGHTS. AS WELL AS COLORFUL PICTURES OF THE [INDISCERNIBLE] EMPLOYEES WORKFORCE. IN CONCLUSION WE ARE CONTINUING -- CONTINUALLY REVIEWING EMPLOYEE FEEDBACKS AND RECOMMENDATIONS. THANK YOU.

THANKS, RECENT BOO.

THANK ALL OF YOU ALL FOR BEING HERE. COUNCIL I REALLY WANTED YOU TO GET A CHANCE TO SEE SOME OF THE FACES OF THE EMPLOYEES, THE KINDS OF ISSUES THAT THEY ARE WORKING ON. AS YOU CAN SEE FROM THE CONVERSATION IT GENERATED UP HERE. THEY ARE SUBSTANTIVE ISSUES THAT THE EMPLOYEES ARE WORKING WITH US TO GET THEIR ARMS AROUND, THANKS AGAIN. ALL RIGHT. NOW LEAN BUDGET TIMES FORCED US TO ELIMINATE POSITIONS. AND TO FOREGO PAY INCREASES FOR SEVERAL YEARS FOR OUR EMPLOYEES. ALL THE WHILE THOSE EMPLOYEES CONTINUE TO EXPERIENCE A RISE IN COST OF LIVING. IN FISCAL YEAR 2005, WE WERE ABLE TO BEGIN REINVESTING FOR THE FIRST TIME IN SEVERAL YEARS BACK IN OUR WORKFORCE AND WE INCLUDED OUR FIRST PAY INCREASE SINCE 2002 FOR NON-CIVIL SERVICE EMPLOYEES WHO MET OR EXCEEDED THEIR PERFORMANCE EXPECTATIONS. THE 2006 BUDGET FURTHER REINVESTED IN THE WORKFORCE. CONTINUING PAY FOR PERFORMANCE AND MOVING THE LIVING AGE FROM 10 TO 1090 AN HOUR FOR OUR LOWEST PAID WORKERS. ADDITIONALLY WE COMPLETED, OUR BIGGEST ACCOMPLISHMENT THIS YEAR, ACROSS THE CITY, ENTIRE CITY FINISHED A MARKET COMPENSATION STUDY. WE HAVE NEVER DONE THAT. IN ONE YEAR. THE LAST TIME WE DID A CITY-WIDE MARKET COMPENSATION, IT TOOK BETWEEN THREE AND FIVE YEARS. TO COMPLETE. THESE STRATEGIES ARE PARTICULARLY CRITICAL WITH A LARGE NUMBER OF OUR EMPLOYEES THAT ARE RETIRING OR PLANNING TO RETIRE. NOW, THEY ARE GOING TO HELP US AS WE CONTINUE TO WORK ON SUCCESSION PLANNING AND ON AGGRESSIVELY

RECRUITING THE FUTURE LEADERSHIP OF THIS ORGANIZATION. NOW, I WON'T GO OVER EVERY PART OF THE EMPLOYEE BENEFIT PACKAGE. YOU ACTUALLY WILL HAVE A PAMPHLET DELIVERED TO YOUR OFFICE ALONG WITH YOUR BUDGET DOCUMENT THAT GIVES A SUMMARY DETAILED OUTLINE OF THE EMPLOYEE BENEFITS PROPOSED FOR '07. WHAT I'M GOING TO HIGHLIGHT SOME PARTS OF THE PROPOSAL. SO LET'S START WITH PAY FOR PERFORMANCE. THE 2007 BUDGET PROPOSAL INCLUDES PAY FOR PERFORMANCE FOR NON-CIVIL SERVICE EMPLOYEES. EMPLOYEES WHO MEET THE EXPECTATIONS WILL RECEIVE AN INCREASE OF 3.5% TO THEIR BASE PAY AND THOSE THAT EXCEED EXPECTATIONS WILL RECEIVE AN ADDITIONAL 1.5% INCREASE TO BASE PAY. DURING THE DOWNTURN, WE ELIMINATED THIS FEATURE AND WE REWARDED EXCEPTIONAL BEHAVIOR WITH A LUMP SUM PAYMENT. WE HAVE PUT IT BACK IN BASE. THE COMPENSATION REVIEW, MARKET, 2007 BUDGET PROPOSAL INCLUDES \$14.2 MILLION IN ANNUALIZED FUNDING FOR THE COMPENSATION REVIEW AND ADJUSTMENTS THAT OCCURRED THIS YEAR. WE DID THIS IN THREE STAGES IN THIS YEAR. APPROXIMATELY 86% OF OUR WORKFORCE RECEIVED AN ADJUSTMENT AND THE AVERAGE MARKET ADJUSTMENT WAS ABOUT 4%. THAT'S 4% ON TOP OF THE 3.5% FOR PAY FOR PERFORMANCE. SO ON AVERAGE, 86% OF OUR EMPLOYEES RECEIVE 7.5% INCREASE IN THEIR BASE THIS YEAR. SERVICE INCENTIVE PAY. IT'S BASED ON TENURE, WE ALSO CONTINUE THE ONE-TIME, 2% LUMP SUM PAYMENT THAT WAS INTRODUCED AS A SERVICE INCENTIVE PAY ENHANCEMENT IN 2006. IN OUR SURVEY OF EMPLOYEES ON PRIORITIES OF BENEFIT THIS RANKED RIGHT AT THE TOP OF THE PRIORITIES. MEDICAL AND DENTAL INSURANCE, THE CITY CONTINUES TO PAY 100% OF EACH EMPLOYEES MEDICAL AND DENTAL COVERAGE IN THE BENEFIT PLANS. HOWEVER EMPLOYEES WILL SEE COST INCREASES THIS YEAR OF APPROXIMATELY 9% FOR SPOUSE AND DEPENDENT COVERAGE, THIS IS AFTER A YEAR OF BEING ABLE TO HOLD OUR INSURANCE COSTS LEVEL. IN 2007 WE ARE INTRODUCING A NEW PREMIUM DENTAL PLAN THAT YOU HEARD OUR EMPLOYEE WORKFORCE COMMITTEE REP TALK ABOUT THIS. IT WAS DEVELOPED AND RECOMMENDED BY THAT SUBCOMMITTEE. AND IT'S AN INTERESTING IDEA, WE ARE GOING TO TRY IT

THIS YEAR AND SEE HOW IT WORKS. IF YOU TRULY HAVE MAJOR DENTAL ISSUES, OUR PLAN IS NOT VERY HELPFUL. SO THIS WILL OFFER AN ALTERNATIVE, OUR EMPLOYEES CAN OPT IN AND OUT IN A GIVEN YEAR. DOMESTIC PARTNERSHIPNER COVERAGE, EQUAL IMPORTANT, THIS PAST SPRING COUNCIL DIRECTED ME TO INCLUDE FUNDING IN THE BUDGET SO THAT THE CITY COULD EXTEND HEALTH COVERAGE TO THE DOMESTIC PARTNERS OF OUR WORKFORCE. WE HAVE INCLUDED \$500,000 IN THE BUDGET PROPOSAL TO COVER THE ESTIMATED COST OF NEW PLAN PARTICIPANTS WHICH INCLUDES BOTH SAME SEX AND OPPOSITE SEX DOMESTIC PARTNERS IN THE EXISTING WORKFORCE AS WELL AS CURRENTS AND FUTURE RETIREES. SUPPLEMENTAL FUNDING TO THE EMPLOYEES RETIREMENT SYSTEMATIC. A PLAN TO PROVIDE SUPPLEMENTAL FUNDING APPROVED, AS YOU HEARD GREG SAY EARLIER, ERS HAS BY FAR THE GREATEST UNFUNDED LIABILITY. THE PURPOSE IS TO STRENGTHEN THE FINANCIAL POSITION OF THE RETIREMENT SYSTEM BY REDUCING THAT UNFUNDED LIABILITY TO AN AMOUNT THAT CAN BE AMORTIZED OVER 30 YEARS. SO BEGINNING IN 2007, SUPPLEMENTAL FUNDING WILL INCREASE BY 1% OF COMPENSATION EACH YEAR. PAID AS A STIPEND AND UNTIL WE ARE ABLE TO ACHIEVE A 30 YEAR AMORTIZATION. THIS ADDITIONAL AMOUNT WILL BE CAPPED AT NO MORE THAN 4% OF ADDITIONAL CITY CONTRIBUTIONS IN MORE THAN ONE YEAR AND NAECIAL AS MARKET CONDITIONS IMPROVE. PAYMENT OF THE ADDITIONAL FUNDS WILL BE DEFERRED UNTIL THE FOLLOWING BUDGET YEAR IN THE RETIREMENT SYSTEM ACHIEVES AN OVERALL INVESTMENT RETURN OF GREATER THAN 12%, IT'S CALIBRATED TO MOVE WITH THE MARKET, DESIGNED TO STRENGTHEN THE SYSTEM. ALSO ADDITIONAL CONTROLS PUT IN PLACE ON ANY FUTURE COST OF LIVING INCREASES, UNTIL THE PLAN IS HEALTHY AGAIN. THIS DOES NOT INCREASE EMPLOYEE RETIREMENT CONTRIBUTIONS OR REDUCE FUTURE RETIREMENT BENEFITS. WE HAVE INCLUDED 1.3 MILLION IN THE PROPOSED BUDGET FOR COSTS RELATED TO THE GENERAL AND SUPPORT SERVICES FUNDS. THE TOTAL ALL CITY COST IS 3.6 MILLION. WHICH IS THE EQUIVALENT OF 1% OF PAYROLL FOR NON-CIVIL SERVICE EMPLOYEES. TEMPORARY AND SEASONAL CONVERSIONS. VERY IMPORTANT PART OF

EMPLOYMENT IS HAVING A LIVING WAGE AND SIMPLY HAVING ACCESS TO HEALTH INSURANCE BENEFITS. THIS YEAR I BEGAN AN INTERNAL REVIEW OF LONG STANDING TEMPS AND SEASONAL EMPLOYEES. THOSE WHO WORKED REGULARLY OVER 20 HOURS PER WEEK AND WORKED AT LEAST ONE YEAR AS OF APRIL 1st, 2006. WE WILL BE CONVERTING THOSE POSITIONS TO REGULAR EMPLOYEES. MAKING SURE THAT THEY HAVE AVAILABILITY TO THE LIVING WAGE AND TO HEALTH AND DENTAL BENEFITS. THE ESTIMATED COST OF THE CONVERSION IS 1.3 MILLION. AND I BELIEVE IT'S CRITICAL TO PROVIDE EQUAL ACCESS TO CITY BENEFITS FOR ALL OF OUR EMPLOYEES. WHO ARE TRULY WORKING ON A REGULAR AND CONTINUOUS BASIS. IT AFFECTS 109 EMPLOYEES. THOSE WHO WILL NOW STEP UP TO LIVING WAGE AND ACCESS TO HEALTH AND RETIREMENT BENEFITS. TUITION REIMBURSEMENT. THE PROPOSED BUDGET INCLUDES CITY-WIDE FUNDING OF 340 THOWNLDZ, IT DOUBLES THE AMOUNT OF OUR TUITION REIMBURSEMENT FUNDS. ALSO INCREASES THE AMOUNT EACH EMPLOYEE CAN ACCESS FROM 1200 TO \$2,000 A YEAR. THE PROGRAM IS AVAILABLE TO REGULAR, NON-PROBATIONARY EMPLOYEES WHO WISH TO PURSUE CAREER ENHANCING OR JOB RELATING EDUCATIONAL OPPORTUNITIES AT ACCREDITED DEGREE GRANTING SCHOOLS AND INSTITUTIONS. NOW, A PILOT PROGRAM IS UNDER DEVELOPMENT BY OUR EMPLOYEE WORKFORCE COMMITTEE TO ALLOW A LIMITED USE OF THE TUITION REIMBURSEMENT FUNDS FOR CERTAIN NON-COLLEGE CERTIFICATIONS. THAT'S IMPORTANT FOR CAREER LADDER AND PROGRESSION ISSUES FOR ANOTHER SEGMENT OF OUR WORKFORCE, I'M VERY SUPPORTIVE OF THIS, WE PLAN TO HAVE THIS IN PLACE FOR 2007. OUR WORKFORCE COMMITTEE ALSO FLAGGED AN ISSUE [INDISCERNIBLE], THEY RESEARCHED OTHER MAJOR TEXAS MUNICIPALITIES AND GOVERNMENT ORGANIZATIONS AND FOUND THAT WE WERE LAGGING IN THE AMOUNT OF VACATION ACCRUAL WE ALLOW OUR EMPLOYEES, SO WE HAVE PROPOSED IN THIS BUDGET AN INCREASE TO THE ADDITIONAL ANNUAL VACATION ACCRUAL. THERE WILL BE ONE EXTRA DAY FOR FULL-TIMES EMPLOYEES WITH 10 YEARS OF SERVICE, ONE AND A HALF IF YOU HAVE 10 TO 14 YEARS, TWO ADDITIONAL DAYS IF YOU HAVE 15 OR MORE YEARS OF SERVICE, THAT PUTS US BACK UP AT THE TOP OF

THE TEXAS MUNICIPAL CITIES. I THINK I MENTIONED A SUMMARY OF THIS PACKAGE WILL BE INCLUDED IN THE DOCUMENTS DELIVERED TO YOUR OFFICES, LET'S MOVE ON TO THE GENERAL FUND BUDGET HIGHLIGHTS. WHAT WE ARE GOING TO DO IS TAKE YOU THROUGH THE KEY -- I TOLD YOU THAT I WOULD WORK TO INCORPORATE SOME OF THE STRATEGIC ADDS, REINVESTMENTS IN YOUR BUDGET PROPOSAL TO YOU. I'M HAPPY TO SAY DUE TO A COMBINATION OF ADDITIONAL REVENUE AND A REDUCTION IN COST DRIVERS, WE WERE ABLE TO DO JUST THAT. THE GRAPH SHOWS YOU THE ALLOCATION OF 6.1 MILLION IN STRATEGIC REINVESTMENTS THAT WE WERE ABLE TO FUND IN THE PROPOSED BUDGET AT THE EFFECTIVE TAX RATE. WE HAVE BEEN UNABLE TO DO THIS FOR THE LAST FOUR YEARS. AT THE EFFECTIVE TAX RATE. SO THIS IS A BIG CHANGE FOR US. AS I SAID EARLIER, THESE ADDITIONS WERE IN THREE MAJOR AREAS, YOU CAN SEE ON THE GRAPH, PUBLIC SAFETY, COMMUNITY SERVICES, AND THEN CRITICAL SUPPORT SERVICES. ACTUALLY THOSE WERE THE ACTUAL POSITIONS IN OUR ORGANIZATION THAT TOOK THE HEAVIEST CUTS DURING THE DOWNTURN. AS THEY CONTINUED TO SEE A GREATER AND GREATER INCREASE IN SERVICE DEMAND. WHEN YOU LOOK AT THE PUBLIC SAFETY NUMBER, OVER HALF OF THAT IS GOING INTO SHORING UP THE EMERGENCY MEDICAL SERVICES DEPARTMENT. I WILL HIGHLIGHT THE STRATEGY ADDS, TOUCH ON SOME OF THE [INDISCERNIBLE] NOW, IMMEDIATELY FOLLOWING THE SECTION OF THE PRESENTATION, WE ARE GOING TO DISCUSS THE STRATEGIC ISSUES WHICH HAVE NOT BEEN FUNDED. IN THE BUDGET PROPOSAL. EACH OF THE DEPARTMENTAL SLIDES PROVIDES THE TOTAL PROPOSED BUDGET FOR THE DEPARTMENT AT THE TOP OF THE SLIDE. BELOW THAT ON THE LEFT YOU SEE HIGHLIGHTS OF CONTINUING PROGRAMS OR COST DRIVERS IN THAT DEPARTMENT. AND ON THE RIGHT-HAND SIDE, YOU WILL SEE INFORMATION ON THE STRATEGIC ADDITIONS THAT ARE INCLUDED IN THE PROPOSED BUDGET. SO LET'S START WITH EMERGENCY MEDICAL SERVICES, E.M.S. TOTAL PROPOSED BUDGET OF 31.1 MILLION. SINCE THE POLICY BUDGET I HAVE BEEN WORKING WITH A SPECIAL COMMITTEE MADE UP OF ALL OF OUR E.M.S. COMMANDERS AS WELL AS THE LEADERSHIP OF THE DEPARTMENT, TO IDENTIFY THE

DEPARTMENT'S VULNERABILITIES AND PRIORITIZE ITS MOST CRITICAL NEEDS. UNLIKE EVERY OTHER DEPARTMENT IN PUBLIC SAFETY, THIS DEPARTMENT WAS NOT HELD HARMLESS DURING THE DOWNTURN. IT DID NOT GET ANY ADDITIONAL FUNDS TO GROW. AND BECAUSE OF THAT, IN MY OPINION, THIS IS THE TOP PRIORITY FOR REINVESTMENT IN THIS AREA. 22% OR ALMOST ONE QUARTER OF THE TOTAL STRATEGIC ADD BACKS ARE FOR E.M.S. OPERATIONS. I AM RECOMMENDING ON TOP OF THAT THE ADDITIONAL 935,000 THAT CAME IN AS A PART OF OUR CERTIFIED TAX ROLLS BE ADDED TO TAKE THE LAST OF THE UNFUNDED PRIORITIES THAT WERE HIGHLIGHTED FOR THIS DEPARTMENT. THE STAFFING OF THE DEL VALLE STATION AND THE PROPOSED OPENING OF THE CIRCLE C FIRE AND E.M.S. STATION WILL HELP REDUCE RESPONSE TIMES IN CERTAIN AREAS OF TOWN. TO FURTHER ADDRESS RESPONSE TIME ISSUES, THE PROPOSED BUDGET INCLUDES A PEAK LOAD UNIT AND SIX PARAMEDIC POSITIONS TO ROVE AT TIMES IN AREA OF THE CITY WHERE CALL VOLUMES ARE HIGH, PRIMARILY PROBABLY IN CENTRAL. TOTAL GENERAL FUND COST IS 543,000 PLUS ANOTHER 227,000, FROM CRITICAL ONE-TIME FUNDS FOR THE AMBULANCE ITSELF ON THAT PEAK UNIT. IN ADDITION, TO KEEP OUR FLEET CURRENT AND REDUCE AMBULANCE DOWN TIME, WE ARE REPLACING FIVE AMBULANCES IN 2007. WE HAVE ALSO ADDED RESOURCES TO THE OFFICE OF THE MEDICAL DIRECTOR. MEDICAL OVERSIGHT, BOTH OF THE E.M.S. AND FOR OUR FIRE SYSTEM, IS ABSOLUTELY CRITICAL IN OUR SYSTEM. WE'VE HAD NO RESOURCE ADDITIONS IN ALMOST A DECADE TO THIS FUNCTION. THE OFFICE OF THE MEDICAL DIRECTOR OVERSEES ABOUT 2,000 SYSTEM PROVIDERS, 12 EMERGENCY SERVICE DISTRICTS, ESD'S AND ALL MEDICAL ASPECTS IN OUR SYSTEM. FROM TRAINING TO QUALITY ASSURANCE TO THE TESTING OF NEW [INDISCERNIBLE] THE PROPOSED BUDGET INCLUDES AN ASSISTANT TO THE MEDICAL DIRECTOR, ASSISTANT QUALITY COORDINATOR, A SYSTEM EDUCATION COORDINATOR AND PARTIAL FUNDING FOR A MEDICAL FELLOW TO HELP MANAGE THE WORKLOAD BY PROVIDING ON SEEN CLINICAL CARE AND MEDICAL OVERSIGHT TO PARAMEDICS AND EMT'S IN THE SYSTEM. THESE FOUR POSITIONS WILL ASSIST THE MEDICAL DIRECTOR WITH EDUCATION, CREDENTIALING AND

OVERSIGHT FOR TOTAL COSTS OF \$308,000. ANOTHER ONGOING CONCERN IN EMS HAS BEEN THE SAFETY OF OUR PARAMEDICS. JUST THIS LAST SUNDAY, YOU PROBABLY SAW ALL OF THE COVERAGE ON IT SUNDAY, THE MOVE FROM 24 TO 12 HOUR SHIFTS AND 48 HOUR WEEKS WAS FULLY IMPLEMENTED. WHILE THIS IS A STEP IN THE RIGHT DIRECTION TOWARDS REDUCING FATIGUE OF OUR PAIR MED DAYBREAKS AND ON THE JOB -- MEDICS AND ON THE JOB INJURIES, E.M.S. STILL HAS THE HIGHEST INJURY RATE IN THE CITY. YEAR TO DATE LOST TIME INJURIES WHERE EMPLOYEES MISS WORK DUE TO AN INJURY IS 9.63 PER 100 EMPLOYEES. COMPARE THAT TO THE CITY-WIDE AVERAGE OF 3.32. TO ADDRESS THIS, WE PUT SAFETY RESOURCES IN THE CUTTING THIS CURRENT -- BUDGET THIS CURRENTS YEAR, CONTINUING THAT IN '07, I HAVE INCLUDED 125,000 TO FUND TWO POSITIONS, TO ENHANCE SAFETY PROGRAMS IN THE DEPT. ONE TO PROVIDE -- IN THE DEPARTMENT. ONE TO PROVIDE IN HOUSE OCCUPATIONAL THERAPY EXPERTISE, THE OTHER TO COLLECT AND ANALYZE SAFETY AND MEDICAL QUALITY ASSURANCE DATA SO THAT WE CAN CATCH TRENDS EARLY AND WE CAN HAVE TARGETED CORRECTIVE ACTIONS. THE PROPOSED BUDGET ALSO AUGUSTMENTS TRAINING FOR INCUMBENT FIELD STAFF AND ENHANCES RECRUITMENT EFFORTS. TWO NEW INSTRUCTORS WILL TRAIN EXISTING STAFF IN AREAS SUCH AS PEDIATRIC TRAINING, HOMELAND SECURITY ISSUES, CARDIAC CARE AND AIRWAY ISSUES, THIS WILL BE BOLSTERED BY AN ADDITIONAL 135,000 FOR TRAINING. GIVING PARAMEDICS FUNDING FOR AN ADDITIONAL 20 HOURS PER PERSON. THIS IS THE LARGEST SINGLE INVESTMENT IN TRAINING THAT WE ARE PUTTING BACK INTO THE BUDGET. ALTHOUGH CITY-WIDE WE ARE INCREASING TRAINING DOLLARS IN EACH DEPARTMENT. WE WILL ALSO PROVIDE MORE TRAINING TO THE DISPATCH SIDE OF THE E.M.S. HOUSE THROUGH THE ADDITION OF A COMMUNICATIONS COMMANDER TO PROVIDE QUALITY ASSURANCE FOR MEDICAL PRIORITY DISPATCH, WHICH IS CRITICAL TO US MAINTAINING OUR NATIONAL ACCREDITATION. BASED ON A REQUEST BY THE E.M.S. EMPLOYEE ASSOCIATION, WE ARE ALSO OFFERING A 2,000 PER PERSON SIGNING BONUS FOR NEW E.M.S. RECRUITS. THIS WAS PART OF OUR BRAINSTORMING WITH THE

EMPLOYEE ASSOCIATION ON HOW WE COULD AUGMENT OUR RECRUITING EFFORTS. HOWEVER RECOGNIZE THANK THE NATIONAL SHORTAGE OF PARAMEDICS, THIS SIGNING BONUS WILL NOT BE ENOUGH TO GET THE CITY WHERE IT NEEDS TO BE IN RECRUITING. I WILL TOUCH ON RECRUITING LATER IN THE PRESENTATION, THIS IS WHERE I AM RECOMMENDING THE 935,000 IN ADDITIONAL FUNDS BE USED. THE TOTAL ADDITIONS FUNDED FOR TRAINING AND RECRUITMENT ARE \$378,000. NOW LET'S MOVE TO THE POLICE DEPARTMENT. I WANT TO HIGHLIGHT SEVERAL ISSUES AND ONE KEY ADDITION IN THE POLICE DEPARTMENT BUDGET. IT'S PROPOSED AT 196.6 MILLION. THE PROPOSED BUDGET MAINTAINS 2.0 OFFICERS PER THOUSAND AND INCLUDED FUNDING FOR THE FOURTH YEAR OF THE MEET AND CONFER CONTRACT. AFTER A SIGNIFICANT INCREASE, A MILLION INCREASE, IN THE COST FOR CENTRAL BOOKING THAT WE PAY TO THE COUNTY IN 2006, THE 2007 JAIL INTERLOCAL WITH TRAVIS COUNTY IS ONLY EXPECTED TO INCREASE 156,000. THIS WILL ALLOW US TO PROVIDE FUNDING FOR 24/7 MAGISTRATION, WHEN I WILL DISCUSS IN A MINUTE AS WE TALK ABOUT MUNICIPAL COURT. AS A RESULT OF EXPIRING GRANT 8 GENERAL FUND POSITIONS ARE BEING ADDED TO THE POLICE DEPARTMENT, FIVE DISPATCHERS, TWO HOMELAND SECURITY POSITIONS, ONE VOLUNTEER COORDINATOR WHO WORKS TO FIND TRANSLATORS FOR OFFICERS DEALING WITH SPANISH SPEAKING VICTIMS OF CRIME. ITCH INCLUDED ONE ADDITIONAL 911 CALL TAKER, UPON FULL IMPLEMENTATION OF THE 311 SYSTEM, WHICH WE ANTICIPATE TO BE EARLY 2007, WE WILL BE ABLE TO DEEMPLOY AN ADDITIONAL 5 POSITIONS TO POLICE DISPATCH TO HELP ALLEVIATE SERIOUS WORKLOAD ISSUES IN THAT AREA. FUNDING OF 158,000 HAS BEEN INCLUDED TO FULLY IMPLEMENT THE CITY'S RAPID RESPONSE PROGRAM, TO CLEAR VEHICULAR ACCIDENTS FROM OUR MAJOR ROADWAYS AND HANDLE RELATED TOWING CONTRACT MANAGEMENT. THIS WILL FUND SEVEN PART-TIME RETIRED OFFICERS, TO MONITOR AND DEPLOY RESOURCES WHEN ACCIDENTS OCCUR. IN TERMS OF STRATEGIC ADDITIONS I'M HIGHLIGHTING ONE ADDITIONAL ASSISTANT CHIEF POSITION. THIS RESTORES THE POSITION THAT WAS REDEEMPLOYED AS A COMMANDER DURING THE DOWNTURN AND WILL PROVIDE

THE STRONGER OVERSIGHT OF A DEPARTMENT THE SIZE THAT A.P.D. NEEDS. A.P.D. ALSO HAS NEEDS FOR ADDITIONAL CIVILIAN STAFFING, WHICH ARE NOT INCLUDED IN THE PROPOSED BUDGET BUT WILL BE DISCUSSED AS A TOP PRIORITY IN THE UNFUNDED NEEDS SECTION. MOVING TO THE FIRE DEPARTMENT, WE HAVE A PROPOSED BUDGET OF 106 MILLION. IT PROVIDES FUNDING FOR ENHANCED TASK FORCE STAFFING FOR ALL OF OUR 44 STATIONS. AS WELL AS FUNDING FOR THE SECOND YEAR OF THE COLLECTIVE BARGAINING AGREEMENT. THE GRANT WE RECEIVED TO ESTABLISH THE WELLNESS CENTER IN THE FIRE DEPARTMENT IS EXPIRING NEXT YEAR. AND WE HAVE INCLUDED FIVE POSITIONS AND \$308,000 TO CONTINUE THIS PROGRAM. THE DEPARTMENT ALREADY HAS HAD EARLY AND DRAMATIC SUCCESSES IN THIS PROGRAM. THEY HAVE IDENTIFIED THREE FIREFIGHTERS WITH POTENTIALLY LIFE THREATENING CONDITIONS WHICH WERE CAUGHT EARLY AND WHICH NOW CAN BE CORRECTED. WE WILL CONTINUE VEHICLE REPLACEMENT. CRITICAL VEHICLE REPLACEMENT WITH THE REPLACEMENT OF FOUR PUMPERS. AS A RESULT OF THIS, ALL PUMPERS THAT WILL TURN 10 YEARS OLD DURING 2007 WILL BE PLACED IN RESERVE. AND ALL OF THE ACTIVE FLEET WILL BE 10 YEARS OLD OR LESS. THE BUDGET RESTORES FOUR FIREFIGHTER POSITIONS TO REBUILD FRONT LINE OPERATIONS AT A COST OF 160,000. EARLIER THIS SPRING, FOUR MOTIONS HAVE BEEN RECLASSIFIED TO FOCUS ON MEDICAL SERVICE DELIVERY AND TO TEAM UP WITH AISD TO PROVIDE A FIREFIGHTER AND EMERGENCY MEDICAL TECHNICIAN CERTIFICATION PROGRAM AT L.B.J. HIGH SCHOOL. FINALLY, 67,000 IS PROPOSED TO PROVIDE CULTURAL AWARENESS TRAINING TO ALL FIREFIGHTERS ON A THREE YEAR ROTATING CYCLE AND TO SUPPLEMENT THE FIRE CAREER PROGRAM IN THE AISD I JUST MENTIONED. ONE REMAINING STRATEGY ADD IS THE REPLACEMENT OF BUNKER GEAR, WE'LL TALK ABOUT THAT LATER. LET'S MOVE TO THE NEWEST DEPARTMENT. THE BUDGET IS 5.1 MILLION. THIS IS A DEPARTMENT THAT WAS BASICALLY A CONSOLIDATION OF EXISTING FUNDING AND SPLIT DEPARTMENTS. IT INCLUDES FULL YEAR FUNDING FOR FIVE TEMPORARY POLICE OFFICERS TO REGULAR STATUS. THERE ARE FOUR POSITIONS NOW. ONE CIVILIAN, ONE PATROL OFFICER AND TWO SERGEANTS. WHO ARE TAKING

ON THE PRIMARY FIRST TASK OF THIS NEW DEPARTMENT. YARD NATING TRAINING, RECRUITING AND OTHER STANDARDS, COORDINATING, TO PROVIDE A CONSISTENCY AMONG THESE AREAS, DURING THE FIRST YEAR OF OPERATION, DEPARTMENTAL MANAGEMENT HAS WORKED HARD TO ESTABLISH CONSISTENT PRACTICES AND PROFESSIONAL STANDARDS FOR ALL OFFICERS. AS A RESULT OF BUDGET IS BEING INCREASED TO PROVIDE FULL-YEAR FUNDING FOR THE CONSISTENT APPLICATION OF THE STIPEND PROGRAM FOR ALL OFFICERS OF THIS DEPARTMENT. ONE STRATEGIC ADD INCLUDED IS IN THE EMERGENCY MANAGEMENT AREA. 65,000 INCLUDED WITH ONE POSITION. TO OVERSEE RECRUITING, TRAINING AND MOBILIZATION OF VOLUNTEERS FOR EMERGENCY EVENTS. AS WE ALL SAW AND AS WE DEBRIEFED AFTER THE KATRINA AND RITA HURRICANE EVENTS, ONE OF THE MAJOR GAPS WE IDENTIFIED WAS IN THE AREA OF VOLUNTEER TRAINING AND COORDINATION. WITH THIS ADDITIONAL RESOURCE WE WILL CREATE A POOL OF PRESCREENED AND TRAINED VOLUNTEERS TO BETTER POSITION THE CITY TO STAFF DIVERSE EMERGENCY EVENTS. ALSO TO ENSURE THAT THOSE VOLUNTEERS ARE BEING TAPPED TO BE USED IN THE BEST PLACE FOR THE TALENTS THEY BRING. FINALLY, WE ARE COMPLETING THE ANALYSIS OF OPTIONS AND COSTS FOR A CONSOLIDATION OF THIS DEPARTMENT WITH A.P.D. THAT COUNCIL REQUESTED. WE WILL PRESENT THE RESULTS OF THAT ANALYSIS TO YOU WHEN WE HAVE OUR PUBLIC SAFETY BUDGET PRESENTATION ON AUGUST 24th. MOVING TO THE MUNICIPAL COURT BUDGET, WHICH INCLUDES THE DOWNTOWN AUSTIN COMMUNITY COURT, PROPOSED AT 10.1 MILLION. THE BUDGET CONTINUES FUNDING FOR THE DEPARTMENT AT CURRENT YEAR LEVELS, INCLUDING FULL FUNDING FOR THE ENHANCED TREATMENT OF CLASS B MISDEMEANOR, PUBLIC INTOXICATION DEFENDANTS THAT THE COUNCIL FUNDED FOR THE FIRST TIME THIS YEAR. AS I MENTIONED A PROPOSED BOOKING FOR 24/7 MAGISTRATION, BY ADDING 314,000 AND 3.5 POSITIONS WE CAN MOVE TO A 24/7 OPERATION FROM A 16-7 OPERATION. IT PROVIDES A THIRD SHIFT FOR CENTRAL BOOKING AND KEEPS THE HOLDING FACILITY FROM OVERCROWDING DURING PEAK TIMES. IN OUR EFFORTS TO CONTINUE TO STRENGTHEN CODE ENFORCEMENT CITY-

WIDE AND TO ELIMINATE DEMANDS RESULTING FROM A 47% INCREASE IN BENCH TRIALS, I HAVE ADDED EVENING DOCKETS AT MUNICIPAL COURT. BY BRINGING ON AN ASSOCIATE JUDGE, A CLERK CLERK, TWO PROSECUTORS IN THE LAW DEPARTMENT, 16 DOCKETS CAN BE ADDED THAT WILL DOUBLE THE NUMBER OF CODE ENFORCEMENT DOCKETS AND REDUCE THE CASES PER DOCKETS BY 20%. THE TOTAL COST OF THIS PROPOSED ADDITION IS 300,000, AN ADDITIONAL 75,000 PROPOSED FOR A NEW POSITION IN COMMUNITY COURT TO EXPAND OUR COMMUNITY RESTITUTION PROGRAMS WHICH HAVE BEEN VERY, VERY SUCCESSFUL, TO INCLUDE GRAFFITI ABATEMENT AS PART OF A BROADER CITY-WIDE EFFORT TO CONTROL GRAFFITI. I WILL ADDRESS THIS MORE FULLY IN THE HEALTH AND HUMAN SERVICES DEPARTMENT. COURT IS ONE OF THE AREAS THAT NEED ADDITIONAL STAFF IN THE SUPPORT AREA. THEY NEED IT TO OPERATE MORE EFFICIENTLY AND MORE EFFECTIVELY AND I HAVE INCLUDED 93,000 IN THE PROPOSED BUDGET FOR SUPPORT STAFF. I AM RECOMMENDING THE ADDITION OF A SUPERVISOR IN MUNICIPAL COURT, WHERE THE SUPERVISOR TO EMPLOYEE RATIO IS 20 TO 1. FAR TOO LARGE A SPAN OF CONTROL FOR A SUPERVISOR TO EFFECTIVELY MANAGE. THIS ADDITION WILL REDUCE THAT SPAN TO 17 TO 1 AND PROVIDE MORE TIME TO FOCUS ON QUALITY CONTROL WHICH IS CRITICAL IN A REGULATORY ENVIRONMENT WHERE CITATIONS ARE BEING HANDLED. THE COMMUNITY COURT HAS BEEN GIVEN ONE COURT CLERK ASSISTANT AND THAT'S TO RESPOND TO THE INCREASED CASELOAD AND THE ADDITION OF CITY-WIDE COMMUNITY RESTITUTION INITIATIVES, SUCH AS THE RIGHT-OF-WAY MOWING PROGRAM THEY ARE DOING AND NOW THEIR ENHANCEMENT WITH GRAFFITI REMOVAL. FINALLY, I WANT TO MENTION A NON-GENERAL FUND PROGRAM IN THIS DEPARTMENT THAT YOU ARE GOING TO BE INTERESTED IN. WE ARE ADDING A YOUTH SERVICES PROGRAM TO PROVIDE MORE EFFECTIVE RESOLUTION OF CASES FILED ON YOUTH OFFENDERS AND THEIR PARENTS. CITY COUNCIL APPROVED A COURT FEE OF \$4 EARLIER THIS YEAR. A FEE THAT'S NOW PROVIDED UNDER A NEW STATE LAW. THESE REVENUES WILL FUND FIVE POSITIONS TO PROVIDE INTENSIVE, PROACTIVE CASE MANAGEMENT OF JUVENILE CASES AT THE COURT. OUR GOAL IS TO REDUCE

THE RECIDIVISM RATES AND TO HELP YOUTH BECOME BETTER CITIZENS THROUGH BETTER COORDINATION WITH OTHER JURISDICTIONS AND SOCIAL SERVICE AGENCIES, BASICALLY A [INDISCERNIBLE] MONITORING OF CASE MANAGEMENT AND CASE PROCESS. LET'S MOVE TO COMMUNITY SERVICES GENERAL AREA WE ARE GOING TO START WITH HEALTH AND HUMAN SERVICES. WHICH HAS A PROPOSED BUDGET OF 30.9 MILLION. THE PROPOSED BUDGET INCLUDES FUNDING FOR THE RESOURCE CENTER FOR THE HOMELESS, FLU VACCINE COST INCREASES, ANIMAL SHELTER AND MEDICATION INCREASES AND SECURITY GUARD CONTRACTS. I HAVE PROPOSED FUNDING STRATEGIC ADDITIONS IN SEVERAL AREAS. FIRST AS WE HAVE ALREADY TALKED ABOUT, THERE'S BEEN A STEADY INCREASE IN THE NUMBERS OF OF GRAFFITI TAGS OCCURRING ON PRIVATE AND PUBLIC PROPERTIES IN AUSTIN. IN ADDITION TO THE 75,000 INCLUDED IN THE COMMUNITY COURT BUDGET FOR GRAFFITI ABATEMENT, THE HEALTH DEPARTMENT IS GOING TO BE THE COORDINATING AGENCY FOR THIS INITIATIVE. THEY ARE GETTING AN ADDITIONAL POSITION AND 125,000 MONEY TO HIRE YOUTH FOR CLEANUP OF GRAFFITI AND SUPPLIES TO ENHANCE THEIR EXISTING GRAFFITI ABATEMENT PROGRAM. THESE EFFORTS ARE EXPECTED TO RESULT IN AT LEAST A 75% INCREASE IN THE NUMBER OF CLEANUPS IN THE FIRST YEAR. THE PROGRAM WILL ALSO INCLUDE EDUCATION AND COLLABORATION WITH INTERESTED PARTIES, WHICH INCLUDE WORKING WITH NEIGHBORHOODS, BUSINESS OPENERS AND THE AUSTIN POLICE DEPARTMENT TO STRENGTHEN PREVENTION EFFORTS. FUNDING FOR TWO ADDITIONAL POSITIONS IN HEALTH AND HUMAN SERVICES IS INCLUDED FOR MORE HEALTH OUTREACH EFFORTS. THESE OUTREACH EFFORTS ARE TARGETING AT HYPERTENSION, DIABETES AND OTHER HEALTH ISSUES THAT ARE TAKING A DISPROPORTIONATE TOLL ON THE LOWER INCOME AND MINORITY RESIDENTS. THIS STRATEGIC ADDITION OF 128,000 IS PARTICULARLY CRITICAL TO OUR ONGOING AFRICAN-AMERICAN QUALITY OF LIFE INITIATIVE. THE COMMUNITY ACTION NETWORK, CAN, IS PROPOSING TO ADD A NEW ADDITION FOR THE FIRST TIME IN A VERY LONG FOR PROGRAM ADMINISTRATION. THEY HAVE ASKED THEIR PARTNERS TO HELP FUND. WE CAN LEVERAGE \$10,000 TO

GET A NEW POSITION TO WORK IN THE SOCIAL SERVICE ARENA. THAT 10... \$10,000 HAS BEEN INCLUDED IN THE PROPOSED BUDGET. A NUMBER OF PRIORITIES REMAIN UNDER FUNDED IN THIS GENERAL AREA. A SECOND YEAR OF COST OF LIVING INCREASES FOR SOCIAL SERVICE PROVIDERS. ADDITIONAL RESOURCES FOR THE ANIMAL SHELTER, THE ADDITION OF A SECOND DAY LABOR SITE ARE NOT INCLUDED IN THE PROPOSED BUDGET AND WILL BE DISCUSSED IN THE UNFUNDED NEEDS SECTION OF THE PRESENTATION. THE SECOND DEPARTMENT IN THE COMMUNITY SERVICES AREA IS PARKS. THE PARKS AND RECREATION DEPARTMENT HAS A PROPOSED BUDGET OF 31.4 MILLION. THE BUDGET MAINTAINS CURRENT SERVICE LEVELS FOR ALL EXISTING COMMUNITY RECREATION AND YOUTH PROGRAMS. DURING 2007, THE CITY AND PARKS IN PARTICULAR WILL SEE THE OPENING OF THREE NEW FACILITIES. THE MEXICAN AMERICAN CULTURAL CENTER IN MID 2007, TOWN LAKE PARK IN THE SUMMER AND THE TURNER ROBERTS RECREATION CENTER AT COLONY PARK IN SEPTEMBER. THE PROPOSED BUDGET INCLUDES PARTIAL YEAR FUNDING FOR 18 POSITIONS AND OPERATING EXPENSES FOR THE OPENING OF ALL THREE OF THESE NEW FACILITIES. THERE WAS A PROBLEM IN THIS YEAR OF US BEING ABLE TO RECRUIT ENOUGH LIFE GUARDS. THE DEPARTMENT WAS PLAIN UNABLE TO RECRUIT ENOUGH LIFE GUARDS TO FULLY STAFF CITY POOLS AND IT WAS DUE PRIMARILY TO NON-COMPETITIVE SALARIES. WITH COMPETITION FROM THE INCREASE IN THE NUMBER OF NON-CITY OWNED FACILITIES, HIRING LIFE GUARDS, AND THE FACT THAT SALARIES HAD NOT BEEN INCREASED SINCE 1999, THE CITY HAD TO MAKE A DECISION TO EITHER RAISE THOSE SALARIES OR CLOSE PORTIONS OF THE POOLS THIS SUMMER. FUNDING FOR A FULL YEAR OF INCREASED SALARIES IS INCLUDED IN THE 2007 BUDGET. THE STRATEGIC ADDS THAT I HAVE INCLUDED IN THE PARKS BUDGET FOCUS ON MAINTENANCE. REMEMBER THE SURVEY RESULTS. FIRST I PROPOSED TO ADD 5 POSITIONS, 206,000 FOR ADDITIONAL BUILDING AND GROUNDS ASSISTANCE FOR FIVE OF THE 17 REC CENTERS THAT DO NOT HAVE FULL-TIME CUSTODIAN OR MAINTENANCE SUPPORT. WE ARE TALKING ABOUT GIVENS, HANCOCK, AUSTIN, DOTTIE JORDAN, NORTHWEST CENTER. ADDITION OF THESE RESOURCES IS

IMPORTANT TO MAINTAIN THE APPEARANCE OF THE FACILITIES. AS WE SAID EARLIER, YOU SAW THAT IN THE DECREASING OF CUSTOMER SATISFACTION IN THIS AREA IN THE ANNUAL SURVEY. IRE AREA WHERE SERVICES AND OUTCOME IS FRAYED IS IN THE REBUILDING OF ZILKER BOTANICAL GARDENS, TREE TRIMMING, TREE PRESERVATION, SECURITY CAMERAS TO PREVENT THEFT AND VANDALISM AT THE GARDEN AND SIX ADDITIONAL STAFF TO HELP SECURE AND MAINTAIN THE FACILITIES AND GROUNDS. THE TOTAL COST OF THIS PROGRAM IS 222,000. AND FINALLY, AS I MENTIONED EARLY RMG, OUR ONE-TIME CRITICAL FUNDING INCLUDES \$500,000 FOR THE REHABILITATION OF POOLS IN GENERAL. AND MORE IMPORTANTLY, I THINK FOR ME, AN ADDITIONAL 500,000 FOR THE BARTON SPRINGS POOL. IT'S BEEN A LONG TIME SINCE WE HAVE REINVESTED IN THE INFRASTRUCTURE AT BARTON SPRINGS POOL. WE TALK ABOUT IT AS THE HEART AND SOUL OF THE CITY, YET OUR MONEY HAS NOT GONE INTO VERY CRITICAL INFRASTRUCTURE NEEDS AT THAT POOL. THE FIRST INVESTMENT, THIS \$500,000, IS WHAT I HOPE WILL BE AN ONGOING INVESTMENT EACH YEAR UNTIL WE GET THE POOL BACK UP TO STANDARDS. I WOULD ARGUE THAT THE FIRST STEP WITH THIS FUNDING IS TO PERFORM AN ASSESSMENT OF ALL OF THE REHABILITATION NEEDS AT THE POOL IN THE BATH HOUSE CREATE AN ACTION PLAN, AND BEGIN TO TAKE THAT FUNDING EACH YEAR AND MAKE GAINS ON RESTORING THAT FACILITY FOR THIS COMMUNITY. LET'S MOVE TO THE LIBRARY. IN THE PROPOSED BUDGET, 21 MILLION, PROVIDES FUNDING TO INCLUDE, TO CONTINUE THE HOURS ADDED BACK THIS YEAR TO REOPEN BRANCH LIBRARIES. IN ADDITION THE SPICEWOOD SPRINGS LIBRARY EXPANSION IS EXPECTED TO BE COMPLETED WITH REOPENING IN OCTOBER OF 2006. SO FULL YEAR FUNDING IS INCLUDED FOR THE EXPANSION OF THE SPICEWOOD SPRINGS BRANCH LIBRARY. NOW THE LIBRARY IS THE DEPARTMENT THAT EXPRESSED THE NEED TO STRATEGIC ADDS IN THE SUPPORT AREA. DURING THE DOWNTURN OUR FIRST CUTS FOCUSED ON MANAGEMENT, ADMINISTRATION AND SUPPORT. OUR FIRST ADD BACKS WERE FOR FRONT LINE SERVICES NOT SUPPORT SERVICES. THE LIBRARY STAFF WAS REDUCED IN ALL ADMINISTRATIVE AREAS. HUMAN RESOURCES, FINANCIAL, SECURITY, AND

CIRCULATION. BEGINNING TO RESTORE THESE POSITIONS IS THE LIBRARY'S TOP PRIORITY AND THEIR RESOURCES ARE STRETCHED SO THIN THEY ARE NOW PULLING EMPLOYEES ON THE FRONT LINE TO FILL IN AT THE SUPPORT SERVICE LEVEL. SO IN ADDITION, WE ARE GOING TO BE ADDING ONE HUMAN RESOURCE SPECIALIST, ONE ACCOUNTANT ASSOCIATE, ONE SECURITY GUARD, TWO ADMINISTRATIVE POSITIONS FOR CIRCULATION SUPPORT OF LIBRARY MATERIAL AT A COST OF 204,000. WHEN WE LOOK AT THE SECURITY GUARD POSITION, I WOULD LIKE TO REMIND YOU THERE ARE ONLY FIVE SECURITY GUARDS THAT COVER THE ENTIRE SYSTEM, THE CENTRAL LIBRARY AND 21 BRANCHES. WHICH IS WHY THE ADDITION OF THAT SECURITY GUARD IS PARTICULARLY CRITICAL. WHEN WE MOVE TO THE WATERSHED PROTECTION DEVELOPMENT REVIEW DEPARTMENT, WE ARE LOOKING AT THE GENERAL FUND PORTION OF THAT DEPARTMENT. IT'S AT 14.4 MILLION AND IT PROVIDES FUNDING FOR THE CITY'S ONE-STOP SHOP FOR DEVELOPMENT SERVICES. THE STRATEGIC ADDS FUNDED IN THIS BUDGET CONTINUE THE REBUILDING REBEGAN IN '06. AND WE ARE PARTICULARLY TRYING TO RESPOND TO A SIGNIFICANT INCREASE IN DEVELOPMENT ACTIVITIES. ABOUT SIX MONTHS AGO IN AUSTIN, A NEW HOME WAS BUILDING BUILT EVERY 90 MINUTES, RIGHT NOW A NEW HOME IS BEING BUILT EVERY 60 MINUTES. DEVELOPMENT ACTIVITY IS BOOMING. THIS DEPARTMENT NEEDS RESOURCES TO KEEP UP. RESIDENTIAL INSPECTIONS ARE UP OVER 20% COMPARED TO LAST YEAR. AND OUR GOAL OF MAKING AT LEAST 95% OF INSPECTIONS WITHIN 24 HOURS OF REQUEST IS NOT BEING MET. OUR INSPECTORS PERFORMED ABOUT 93,000 INSPECTIONS LAST MONTH ALONE. THAT'S MONTH. NOT YEAR. TIME IS MONEY FOR BUILDERS AND DEVELOPERS. WHEN THEY ARE AT A CRITICAL JUNCTION DURING CONSTRUCTION, THEY HAVE TO WAIT SEVERAL DAYS FOR AN INSPECTOR, WE HAVE A PROBLEM IN OUR SYSTEM. WE ARE ADDING FOUR INSPECTIONORS, FUNDING FOR TEMPORARY EMPLOYMENT SERVICES AT A TOTAL OF 515,000 TO HELP BRING US CLOSE HE ISER TO A GOAL OF COMPLETING THAT 95% OF INSPECTIONS WITHIN 24 HOURS. THESE POSITIONS WILL ASSIST THE DEVELOPMENT COMMUNITY IN KEEPING THEIR PROJECTS ON TRACK. BUILDING INSPECTIONS ARE NOT THE

ONLY AREA EXPENSING DEVELOPMENT GROWING PAINS IN THIS DEPARTMENT. IN COMMERCIAL PLAN REVIEW, NEW COMMERCIAL BUILDING APPLICATIONS ARE UP OVER 40% SO FAR THIS YEAR. RESIDENTIAL APPLICATIONS ARE UP ANOTHER 10%. AND CURRENT STAFFING LEVELS ARE SIMPLY NOT SUFFICIENT TO HANDLE THE CURRENT DEMAND, NOR THE PROJECTED DEMAND. PARTICULARLY WHEN WE ARE TALKING ABOUT IMPLEMENTING THE NEW COMMERCIAL DESIGN STANDARDS, SCHEDULED FOR COUNCIL APPROVAL IN AUGUST, OR THE NEW SINGLE FAMILY RESIDENTIAL STANDARDS RECENTLY ADOPTED BY COUNCIL. FIVE ADDITIONAL POSITIONS AND \$308,000 ARE INCLUDED IN THE PROPOSED BUDGET TO ADDRESS NEEDS IN THESE TWO AREAS. THE RIGHT-OF-WAY MANAGEMENT PROGRAM IN THIS DEPARTMENT REVIEWS TRAFFIC CONTROL PLANS AND INDEPENDENTS WORK SITES TO ENSURE PUBLIC SAFETY DURING CONSTRUCTION. THE NUMBER OF PLAN REVIEWS ALONE HAS INCREASED 66% IN 2006, IT'S CRITICALLY IMPORTANT TO DO THOROUGH REVIEWS TO REDUCE THE NUMBER OF EXPENSIVE CORRECTIONS THAT OTHERWISE WILL HAVE TO HAPPEN IN THE FIELD. WITH THE PASSAGE OF T COMMERCIAL DESIGN STANDARDS, WE EXPECT TO SEE ANOTHER SIGNIFICANT INCREASE IN THE NUMBER OF AGREEMENTS THAT WILL BE REQUIRED FOR TREES AND AMENITIES IN THE RIGHT-OF-WAY. SO 126,000 AND FUNDING FOR TWO ADDITIONAL POSITIONS IS INCLUDED TO ADDRESS THE GROWING WORKLOAD FOR TRAFFIC CONTROL PLAN REVIEW AND INSPECTING TRAFFIC CONTROL PLANS FOR SAFETY AND PLAN COMPLIANCE IN THE FIELD. THESE POSITIONS WILL IMPROVE THE QUALITY OF TRAFFIC PLAN REVIEWS, WHILE ALLOWING INSPECTORS TO MONITOR TRAFFIC CONTROL AND ENSURE SAFETY AT CONSTRUCTION SITES. NOW THE FINAL DEPARTMENT IN THE COMMUNITY SERVICE AREA IS NEIGHBORHOOD PLANNING AND ZONING. THEY ARE A PROPOSED BUDGET OF 4.5 MILLION. BUDGET PROVIDES FULL YEAR FUNDING FOR FOUR POSITIONS ADDED IN 2006, THAT WERE PLACED IN THE DEPARTMENT TO MEET THE INCREASED DEMANDS IN AREAS SUCH AS DOWNTOWN DESIGN, NEIGHBORHOOD PLANS THAT ARE NOW ELIGIBLE TO BE UPDATED, IMPLEMENTATION OF THE DESIGN STANDARDS AND HISTORIC ZONING AND PRESERVATION

CASE INCREASES. OUR FUNDING STRATEGIC ADDS INCLUDE ONE ADDITIONAL TRANSPORTATION PLANNER AT A COST OF \$66,000 TO HELP ENSURE THAT NEIGHBORHOOD PLANS INCLUDE A STRONG CONNECTED TRANSPORTATION COMPONENT. ADDITIONALLY, THIS POSITION WILL ASSIST IN STRATEGIC PLANNING RELATED TO REDEVELOPMENT AND DEVELOPMENT ALONG STATE HIGHWAY 130 AND OTHER CORRIDOR PLANS. THIS WAS THE ONLY ADD INCLUDED IN THE BUDGET FOR THIS DEPARTMENT. THE POSSIBILITY OF ACCELERATING THE -- BOTH THE QUALITY AND IMPLEMENTATION OF NEIGHBORHOOD PLANS IS INCLUDED AS AN UNFUNDED NEED THAT WE ARE GOING TO DISCUSS LATER. THE FINAL MAJOR AREA OF STRATEGIC ADDS IS CENTRAL SUPPORT SERVICES. WE HAVE TALKED ABOUT THIS A LITTLE BIT. THE SUPPORT SERVICE FUNCTIONS ACROSS THE CITY ARE STRAINED. ROUTINE TRANSACTIONS TAKE LONGER TO COMPLETE WORK LOADS ARE INCREASING AT THE SAME TIME. LAST YEAR WE FOCUSED ON STRATEGIC ADD BACKS AND OUR DIRECT SERVICES, OUR FRONT LINE SERVICES. THIS YEAR I'M RECOMMENDING THAT WE ALSO TURN OUR ATTENTION TO REBUILDING THE FOUNDATION OF THE ORGANIZATION. BUILDING SERVICES. FINANCE, HUMAN RESOURCES, LEGAL SERVICES, PROCUREMENT, AUDIT, OUR CITY CLERK'S OFFICE. SUPPORT FUNCTIONS PROVIDE THE INTERNAL CONTROL SYSTEMS THAT ARE CRUCIAL TO THE INTEGRITY AND WELL-BEING OF ANY ORGANIZATION. THESE WORK AREAS HAVE BEEN STRETCHED ESPECIALLY THIN OVER RECENT YEARS, EVEN AS WE HAVE BEEN IMPLEMENTING CRITICAL NEW SYSTEMS SUCH AS OUR NEW FINANCIAL SYSTEM, THE 311 SYSTEM. AND MANAGING NEW FACILITIES. IN ADDITION TO ADDING BACK A NUMBER OF CENTRAL SUPPORT SERVICE POSITIONS FUNDING IS INCLUDED FOR ADDITIONAL ENGINEERING SERVICES IN THE AMOUNT OF 35,000 TO BE USED ON THE AUSTIN WATER UTILITY AUDIT PLANNED BY THE OFF OF THE CITY AUDITOR IN FISCAL YEAR 2007. ADDITIONAL FUNDING INCLUDED IN THE PROPOSED BUDGET FOR 115,000, ALSO FOR THE OFFICE OF THE CITY AUDITOR, FOR DEPARTMENT-WIDE RESTRUCTURING THAT INVOLVES POSITION RECLASSIFICATION AND RAISES. I WON'T GO INTO THE DETAILS PRESENTED HERE, BUT THIS SLIDE REPRESENTS THE PROPOSED STRATEGIC ADDITIONS TO THE CENTRAL

SUPPORT SERVICES. IN ADDITION PAGE T 40, OF THE BUDGET TRANSMITTAL LETTER, INCLUDES ADDITIONAL INFORMATION CONSOLIDATED IN ONE PLACE ON THE WORKLOAD INCREASES IN THESE AREAS THAT ARE DRIVING THE DEMAND FOR THESE ADDITIONAL POSITIONS. NOW WE HAVE COVERED THE FUNDED STRATEGIC ADDS, GONE OVER THE DEPARTMENTAL BUDGET HIGHLIGHTS. I WANT TO TURN OUR ATTENTION FOR A FEW MINUTES HERE TO UNFUNDED ADDS. NEEDS THAT REMAIN OUT THERE THAT HAVE BEEN PRIORITIZED BY DEPARTMENTS THAT ARE NOT INCLUDED OR NOT FUNDED IN THE PROPOSED BUDGET AT THIS TIME. AFFORDABILITY IS ONE OF COUNCIL'S FOUR POLICY PRIORITIES AND AFFORDABILITY FOR AUSTIN RESIDENTS IS A KEY CONSIDERATION WHEN COUNCIL CONSIDERS THE PROPERTY TAX RATE EACH YEAR DURING THE BUDGET PROCESS. BECAUSE PROPERTY TAXES IN TEXAS SERVE AS THE PRIMARY FUNDING SOURCE FOR BASIC CITY SERVICES, THAT INCLUDES POLICE AND FIRE AND EMERGENCY MEDICAL SERVICES, HEALTH AND HUMAN SERVICES, MY TASK IS TO SUBMIT AN ANNUAL BUDGET THAT IS ALL ABOUT NEEDS AND NOT ABOUT WANTS. ED PRIJS PEOPLES FOCUS ON AFFORDABILITY, INCLUDE MANAGING OUR FINANCIAL RESOURCES EFFECTIVELY, DELIVERING HIGH QUALITY SERVICES AT A COMPETITIVE COST AND END VESTING IN TECHNOLOGY THAT ENHANCES PRODUCTIVITY AND EFFICIENCY. THE BUDGET IS CURRENTLY PROPOSED AT THE ESTIMATED EFFECTIVE RATE OF 39.85 CENTS PER \$100 OF ASSESSED VALUATION. THAT'S A DECREASE OF 4.45 CENTS FROM THE CURRENT TAX RATE OF 44.30 CENTS. A 10% REDUCTION. [ONE MOMENT PLEASE FOR CHANGE IN CAPTIONERS]

... BY AN AMOUNT SMALLER THAN THE 4.45 CENTS. FOR INSTANCE, IF INSTEAD OF ADOPTING THE EFFECTIVE RATE, COUNCIL CHOSE TO ADOPT THE ESTIMATED ROLLBACK RATE OF 41.26 CENTS, THIS GENERATES 8.4 MILLION IN DIRL FUNDS. OR -- ADDITIONAL FUNDS. OR COUNCIL COULD CHOOSE TO ADOPT A RATE SOMEWHERE BETWEEN EFFECTIVE AND ROLLBACK AND TO THINK THROUGH HOW THAT WOULD CURIOUS RULE OF THUMB. EACH QUARTER CENT ADD TO THE EFFECTIVE RATE WILL GENERATE ABOUT 1.5 1.5 MILLION IN NEW REVENUE. LET ME TALK ABOUT A FRT

EFFORT WE MADE TO HEAR FROM OUR CITIZENS. WE HAVE NOT DONE SOMETHING LIKE THIS IN A LONG TIME. TO COMPLIMENT OUR ANNUAL CITIZEN SURVEY, WE HIRED A PROFESSIONAL MARKETING RESEARCH. RESEARCHER, WE HIRED A FIRM THAT CONDUCTED A SERIES OF FOCUS GROUPS IN LATE JUNE WITH A DIE SERS OF AUSTIN RESIDENTS. THEY PUT THOSE FOCUS GROUPS AND THE SELECTION OF CITIZENS TO BE CONSISTENT WITH THE SAME GEOGRAPHICAL AREAS THAT WE USE TO CONDUCT OUR ANNUAL CITIZENS SURVEY. THE OBJECTIVE OF THIS RESEARCH WAS TO UNDERSTAND CITIZEN OPINION ABOUT THE VALUE OF STRATEGIC ADDITIONS TO OUR BUDGET. AS WELL AS THEIR WILLINGNESS TO INCUR INCREASED PROPERTY TAXES NEEDED TO FUND THOSE ADDS. RESEARCH PARTICIPANTS RECEIVED BASIC INFORMATION ABOUT THE CITY OF AUSTIN INCLUDING INFORMATION ABOUT OUR TAX RATE, ABOUT OTHER LOCAL TAXING AUTHORITIES, OUR REVENUE AND EXPENDITURES, AND A NUMBER OF OTHER PIECES OF INFORMATION. WITH THE OUTSIDE RESEARCH FIRM LEADING THEM THROUGH THE DESCRIPTIONS OF A REPRESENTATIVE PACKAGE OF STRATEGIC ADS TO FIND OUT WHAT THEY VALUED, MORE THAN 80% EXPRESSED THEIR WILLINGNESS TO SUSTAIN AN ADDITIONAL \$20 A YEAR IN PROPERTY TAXES FOR A SERIES OF STRATEGIC ADDITIONS TO THE BUDGET. ANOTHER 38% EXPRESSED THEIR WILLINGNESS TO SUSTAIN UP TO AN ADDITIONAL \$40 A YEAR IN PROPERTY TAXES. THE FACTOR DRIVING THEIR SUPPORT WAS A STRONG SENSE OF IDENTIFICATION WITH OUR QUALITY OF LIFE AND A STRONG SENSE OF COMMUNITY. YOU WILL SEE THAT WHEN YOU HEAR THAT THEIR GREATEST PRIORITY FOR ADDS, WHAT THEY PLACE THE GREATEST IMPORTANCE ON REINVESTING IN WERE EMERGENCY MEDICAL SERVICES AND SOCIAL SERVICES IN OUR COMMUNITY. A COPY OF THE FULL FOCUS GROUP REPORT WILL ALSO BE DELIVERED TO YOUR OFFICES ALONG WITH THE REST OF THE BUDGET DOCUMENTS. NOW, WE'VE CONTINUED TO REFINE AND PRIORITIZE OUR MOST CRITICAL NEEDS SINCE OUR POLICY DISCUSSIONS WITH COUNCIL THIS PAST MAY. MY PROPOSED BUDGET FUNDS 6.1 MILLION IN STRATEGIC ADDS. FROM OUR VULNERABILITY ASSESSMENT CREATE BY OUR DEPARTMENT AS WELL AS FROM A POLICY DISCUSSION WE HAD IN MAY,

THERE ARE STILL NUMEROUS UNFUNDED STRATEGIC ADDS. THEY COULD BE WHOLLY OR PARTIALLY ADDED TO THE BUDGET BY TAKING THE PROPOSED TAX RATE ABOVE THE EFFECTIVE TAX RATE. THE MAJORITY OF THE REMAINING POTENTIAL ADD-BACKS INVOLVE FRONT LINE, PUBLIC SIFT AND COMMUNITY SERVICES. THE TOTAL ADD-BACKS THAT WE SHOW ON THIS TABLE, UNFUNDED, ARE 7.7 MILLION. WITH THE ADDITIONAL PROPERTY TAX REVENUE WE GOT AT THE LAST MINUTE, ONLY 6.7 MILLION OF THESE WILL REMAIN UNFUNDED IF COUNCIL ACCEPTS THE PROPOSAL TO FUND THE ADDITIONAL E.M.S. ADD-BACKS WITH THAT ADDITIONAL 935,000. AGAIN, ADOPTING A TAX RATE EQUAL TO THE ROLLBACK RATE OF 41.26 CENTS WILL GENERATE AN ADDITIONAL 8.4 MILLION IN REVENUE. THIS IS 1.41 CENTS ABOVE THE ESTIMATED EFFECTIVE RATE OF 39.85 CENTS AND WOULD TRANSLATE INTO AN ANNUAL INCREASE OF \$25 IN THE TAX BILL OF A HOMEOWNER WITH A RESIDENCE VALUED AT \$175,000. ALTERNATELY, COUNCIL MAY WISH TO ADOPT A RATE ABOVE THE EFFECTIVE RATE BUT SOMEWHAT BELOW THE ROLL-BACK RATE. AND AGAIN, EACH QUARTER CENT THAT IS ADDED TO THE EFFECTIVE TAX RATE GENERATES ROUGHLY 1.5 MILLION IN ADDITIONAL REVENUE. NOW LET ME WALK YOU THROUGH THE UNFUNDED ADDS ON THE NEXT FEW SLIDES. THE FIRST SLIDE RECAPS UNFUNDED NEEDS IN PUBLIC SAFETY. E.M.S. REMAINS A TOP PRIORITY IN THIS AREA. RECRUITING FOR PARAMEDICS IS VERY DIFFICULT NOW, NOT JUST IN AUSTIN AND NOT JUST IN THE STATE BUT AT THE NATIONAL LEVEL. WITHOUT INNOVATIVE NEW WAYS TO BRING ON QUALIFIED PARAMEDICS, WE ARE GOING TO BE FACING A CRITICAL SHORTFALL IN THIS COMMUNITY. WORKING COLLABORATIVELY WITH AUSTIN COMMUNITY COLLEGE TO CREATE A PARAMEDIC DEVELOPMENT ACADEMY AND ESTABLISHING A TRAINING PROGRAM AT AISD WOULD RESULT IN A GRASS-ROOTS KIND OF RECRUITING PROGRAM AIMED AT ATTRACT AND TRAINING OUR LOCAL YOUTH TO BECOME FUTURE PARAMEDICS IN AUSTIN. TO MAINTAIN OPTIMAL PATIENT CARE AND PRESERVE PARAMEDIC SAFETY, YOU KNOW WE'VE CONVERTED FROM THE 24-HOUR SHIFTS TO THE 12-HOUR SHIFTS FOR ALL E.M.S. STATIONS THIS YEAR. THIS CHANGE WILL NOW ALLOW FOR SUFFICIENT DOWN TIMES IN THE FACE OF INCREASING CALL VOLUME. MEANWHILE, THE

CURRENT STAFFING RATIO FOR SUPERVISION OF PARAMEDICS IS ONE SUPERVISOR TO 14.8 PARAMEDICS. THAT IS SIGNIFICANTLY ABOVE A BEST PRACTICE IN A MEDICAL ENVIRONMENT. BY ADDING THREE DISTRICT COMMANDERS, YOU COULD REDUCE THAT RATIO TO ONE SUPERVISOR TO 12.8 PARAMEDICS, AND THAT WOULD HELP US PROVIDE A BETTER STANDARD OF MEDICAL OVERSIGHT AND A VERY CRITICAL PUBLIC SAFETY FUNCTION. SO THE ESTIMATED COST OF THE E.M.S. UNFUNDED NEEDS ARE SLIGHTLY OVER A MILLION. 1,000,022,000. I WOULD RECOMMEND WE USE THE ADDITIONAL PROPERTY TAX REVENUE TO FUND THESE NEEDS. THE COST FIGURES THAT YOU SEE OF SLIGHTLY OVER A MILLION IS FOR FULL-YEAR FUNDING, AND THE DIFFERENCE BETWEEN THE 935 IN NEW REVENUE AND THE MILLION 22,000 IN PROGRAM COSTS WOULD BE ABSORBED BY THE VACANCY SAVINGS INCURRED WHILE STAFFING BRINGING ON THE 15 NEW POSITIONS. MUNICIPAL COURT. A COURT CLERK ASSISTANCE IS NEEDED TO COVER INCREASED CUSTOMER DEMAND AT SUBSTATIONS. BECAUSE OF PREVIOUS STAFF REDUCTIONS THERE ARE ONLY TWO COURT CLERK ASSISTANTS CURRENTLY ASIDE TO THE SOUTH SUBSTATION. THIS ADDITIONAL RESOURCE WOULD RESTORE STAFF TO THE THREE ASSISTANTS THAT WERE THERE BEFORE THE DOWNTURN AND HELP MEET THE GROWING DEMAND AT THE SUBSTATION. THE ESTIMATED COST OF RESTORING THIS ONE ASSISTANT IS 37,000. FIRE BUNKER GEAR. OUR GOAL IS TO REPLACE PROTECTIVE BUNKER GEAR EVERY SEVEN YEARS, BUT CURRENTLY 30% OF OUR OPERATIONS PERSONNEL ARE IN THE SAME BUNKER GEAR FOR A LONGER PERIOD OF TIME. THE ADDITIONAL FUNDING OF \$100,000 WOULD ALLOW US TO REPLACE AN ADDITIONAL 83 SETS OF BUNKER GEAR AND START US MOVING BACK TO A STANDARD REPLACEMENT CYCLE OF SEVEN YEARS. ONCE AGAIN THE ESTIMATED COST OF THIS UNFUNDED NEED IS \$100,000. POLICE. I CONSIDER THESE A.P.D. CIVILIAN POSITIONS TO BE ONE OF THE HIGHEST PRIORITY UNFUNDED NEEDS. WHILE SWORN STAFFING WAS NOT REDUCED DURING THE DOWNTURN AND ACTUALLY INCREASED DURING THE DOWNTURN, CIVILIAN STAFF WAS CUT DRAMATICALLY IN THE POLICE DEPARTMENT. OUR CIVILIAN STAFF IS STRETCHED TO THE LIMIT N ONE YEAR

ALONE WE CUT OVER 30 CIVILIAN POSITION OUT OF THE POLICE DEPARTMENT. REQUESTS FOR LATENT PRINT COMPARISONS AND IDENTIFICATIONS ARE UP 108%. OFFICERS ARE ALSO CURRENTLY RESPONDING TO THE OVERWHELMING MAJORITY OF PROPERTY-RELATED CRIMES. AND WHAT THIS DOES IS THIS TAKES THEM AWAY FROM PATROL. CIVILIAN CRIME TEG NITIONZ TECHNICIANS PREVIOUSLY HAND THIS CASELOAD. THIS PROPOSAL WOULD FREE UP 600 ADDITIONAL PATROL HOURS INCREASING OFFICER TIME ON THE STREET AND IMPROVING RESPONSE TIME FOR CITIZENS WHO REPORT PROPERTY CRIME. ADDITIONAL RESOURCES ARE ALSO NEEDED IN THE JUVENILE SERVICES UNIT TO HANDLE THAT CREPT WORKLOAD. THE ADDITION OF NINE CRIME TECHS AND CONVERTING TWO PART-TIME POSITIONS TO A FULL-TIME STATUS IN JUVENILE SERVICES WILL HELP ADDRESS CURRENT WORKLOAD AND DEMAND. THE ESTIMATED COST OF THESE 9.5 CIVILIAN EMPLOYEES IS 479,000. LAKE PATROL. THE LAKE PATROL CURRENTLY CONSISTS OF ONLY ONE OFFICER PER BOAT. IN SPITE OF THE DRAMATIC INCREASES IN BOAT TRAFFIC AND THE BOATING ACCIDENTS THAT YOU HAVE ALL READ ABOUT AND HEARD ABOUT ON OUR LAKES, WE HAVEN'T ADDED TO THIS FUNCTION IN A VERY LONG TIME. ADDITIONAL RESOURCES WOULD ALLOW FOR A TWO-OFFICER PATROL DURING PEAK TIMES INCREASING THE TOTAL NUMBER OF PATROL HOURS AND PROVIDING ADEQUATE BACKUP FOR THE ONE OFFICER PATROL CURRENTLY IN PLACE ON THE LAKES. THE ESTIMATED COST OF FIVE OFFICERS TO ENHANCE LAKE PATROL IS 286,000. THIS SLIDE RECAPS UNFUNDED NEEDS THAT INVOLVE DIRECT COMMUNITY SERVICES AND SUPPORT THE COUNCIL'S PUBLIC POLICY PRIORITY AREA OF YOUTH, FAMILY AND NEIGHBORHOOD VITALITY. ONE IS THE COST OF LIVING AJUGS THE THEMMENT FOR SOCIAL SERVICE PROVIDERS. WE CONTRACT WITH A NUMBER OF SOCIAL SERVICE PROVIDERS TO DELIVER SERVICES TO ELIGIBLE INDIVIDUALS THAT HELP IMPROVE THEIR QUALITY OF LIFE AND THESE SERVICES ARE FROM CHILD DEVELOPMENT, H.I.V. COMMUNITY PROGRAMS, HOMELESS SERVICES, MENTAL HEALTH, SELF-SUFFICIENCY, SUBSTANCE ABUSE, WORKFORCE DEVELOPMENT. BUT OUR NON-PROFIT PROVIDERS FACE THE SAME COST DRIVERS THAT OTHER

ORGANIZATIONS FACE SUCH AS RISING INSURANCE AND FUEL COSTS. THIS FUNDING WOULD PROVIDE AN INFLATIONARY INCREASE OF 3.5% FOR SOCIAL SERVICE PROVIDERS, AND IT'S ESTIMATED BASED ON THEIR EXISTING FUNDING LEVELS IN THE 2006 BUDGET AT A COST OF 543,000. ANOTHER UNFUNDED NEED IN THIS AREA IS THE SECOND DAY LABOR SITE. OVER THE LAST SEVERAL YEARS, WE'VE HAD REPORTS OF PEOPLE GATHERING WITHOUT OVERSIGHT IN MULTIPLE SOUTH AUSTIN NEIGHBORHOODS LOOKING FOR DAY LABOR WORK. OUR COMMUNITY HAS JUST OUTGROWN THE SINGLE NORTH DAY LABOR FACILITY WE BEGAN OPERATING MANY YEARS AGO. WITH THIS ADDITIONAL FUNDING, WE COULD PROVIDE A SECOND COORDINATED LOCATION SOUTH WITH OVERSIGHT AND CONTROLS FOR WORKERS AND WHICH COULD PLACE ABOUT 20,000 WORKERS ANNUALLY. THE ESTIMATED COST OF A SECOND SITE, AND WE HAVE FACTORED THIS IN WITH A DIFFERENT MODEL, A MODEL TO CONSIDER CONTRACTING OUT THE OPERATIONS OF THIS FACILITY, WOULD BE 275,000. ANIMAL SERVICES. IN THE COMMUNITY SERVICE AREA, THESE STRATEGIC ADDS REPRESENT ANOTHER TOP PRIORITY FOR FUNDING. WE DO NOT HAVE DEDICATED STAFF IN OUR ANIMAL SERVICES UNIT FOR ANY PREVENTION PROGRAMS. OUR STRAY CAT INTAKE IS UP OVER 15% SINCE 2003. AND MORE ALARMING OUR RATE OF EUTHANIZING ADOPTABLE ANIMALS HAS INCREASED FROM 25% TO CLOSE TO 40% SINCE 2002. WE ARE LOSING GROUND ON OUR NO KILL MILLENNIUM GOAL. ADDITIONAL FUNDING FOR ANIMAL STERILIZATION, EDUCATION AND OUTREACH AND MICROCHIPPING PING ENDOWED CHAIRS PROGRAM WOULD GO A LONG WAY TO DECREASING THE ANIMAL INTAKE AT THE SHELTER. THE ESTIMATED COST OF THESE PROMISE IS 155,000 AND INCLUDES THE ADDITION OF ONE POSITION. NEIGHBORHOOD PLANNING. FIVE NEW PLANNING POSITIONS WOULD ALLOW US TO ACCELERATE THE DEVELOPMENT AND IMPLEMENTATION OF NEIGHBORHOOD PLANS TO IMPROVE THE QUALITY OF THOSE PLANS BROUGHT BEFORE COUNCIL FOR INCORPORATION IN THE CITY'S COMPREHENSIVE PLAN AUSTIN TOMORROW. THIS PROPOSAL ALSO INCLUDES FUNDING FOR THE INCORPORATION OF A THREE-DIMENSIONAL COMPUTER MODELING PROGRAM THAT WE COULD BEGIN USING IN NEIGHBORHOOD PLANNING. THE

ESTIMATED COST OF ADDING THESE FIVE F.T.E.S AND THE THREE DEM NITIONAL COMPUTER MODELS IS 330,000. HOUSING. OUR SURVEY RESULTS HAVE SHOWN FOR SEVERAL YEARS THAT NOW AFFORDABLE HOUSING IS ONE OF THE COMMUNITY'S TOP PRIORITIES. OVER RECENT YEARS THE FEDERAL GOVERNMENT HAS BEEN SYSTEMICLY CUTTING FUNDING TO THE COMMUNITY DEVELOPMENT BLOCK GRANT AND HOME FUNDING THAT WE RECEIVE. AND ADDITIONAL CUTS ARE EXPECTED NEXT YEAR. AT OUR POLICY DISCUSSION IN MAY, WE INCLUDED AFFORDABLE HOUSING AS AN AREA THAT COUNCIL MIGHT CONSIDER AS A CANDIDATE FOR ADDED RESOURCES, AND WE SUGGESTED A POTENTIAL INFUSION OF FUNDS AT 1.2 MILLION FOR COUNCIL TO CONSIDER. THE ONLY CAVEAT I HAVE HERE IS BEFORE COMMITTING TO ADDITIONAL FUNDS IN 2007, WE WANT TO DO SOME ADDITIONAL ANALYSIS TO DETERMINE THE LEVEL OF CARRY-FORWARD FUNDING THAT WILL BE AVAILABLE IN THE NEIGHBORHOOD HOUSING AND COMMUNITY DEVELOPMENT OFFICE. SO THAT WE BETTER UNDERSTAND HOW THIS COMMUNITY CARRY-FORWARD FUNDING FITS INTO THE DEPARTMENT'S CAPACITY TO SPEND IN 2007. IN OTHER WORDS, WE SHOULDN'T ADD FUNDS TO A BUDGET IF THEY WON'T BE ABLE TO SPEND IT IN 2007. I'M GOING TO BE ASKING MIKE MCDONALD, ASSISTANT CITY MANAGER OVER NEIGHBORHOOD HOUSING, TO WORK WITH PAUL HILGERS, HOUSING DIRECTOR, AND OUR BUDGET STAFF TO ANALYZE THE ACTUAL CURRENT NEEDS TORE 2007 AND MAKE A RECOMMENDATION TO YOU AT OUR AUGUST 10th BUDGET BRIEFING ON THIS DEPARTMENT. WE MOVE TO ANOTHER CATEGORY OF UNFUNDED NEEDS, WORKFORCE INITIATIVES. WEAVER..WE'VE ALREADY INCLUDED FUNDING TO ADD A SAME AND OPPOSITE SEX DOMESTIC PARTNER PROGRAM AS APPROVED BY COUNCIL. AT OUR POLICY DIRECTION IN MAY, COUNCIL DIRECTED ME TO RESEARCH THE COST OF SEVERAL OPTIONS RELATED TO EXPANDED COVERAGE UNDER A NEW PLUS ONE EMPLOYEE HEALTH INSURANCE PROGRAM. NOW, BECAUSE OF THE UNCERTAINTY OF THE ACTUAL COST IMPLICATIONS OF EXPANDING OUR HEALTH CARE COVERAGE, I STRONGLY RECOMMEND GETTING ONE YEAR OF CLAIMS EXPERIENCE UNDER OUR BELT IN 2007 FOR THE DOMESTIC PARTNER PROGRAM WE HAVE ALREADY ADDED BEFORE ADDING ANY

ADDITIONAL COVERAGE TO OUR PLAN. I'M VERY CONCERNED THAT IF WE MOVE TOO QUICKLY ON THESE ADDITIONS, WE WILL NOT HAVE A FIRM AND SOLID IDEA OF WHAT IT IS GOING TO DO TO OUR OVERALL HEALTH INSURANCE COST INCREASES. BUT DURING THE POLICY DISCUSSION, COUNCIL REQUESTED THAT WE CONSULT OUR ACTUARY FOR ADDITIONAL INFORMATION ABOUT EXTENDING ADDITIONAL INSURANCE COVERAGE TO ONE ADULT DEPENDENT UNDER A NEW ONE PLUS PROGRAM. THIS KIND OF A PROGRAM ALLOWS AN EMPLOYEE TO COVER A SPOUSE, A DOMESTIC PARTNER -- AND HERE'S THE CRITICAL WORD -- OR AN ADULT RELATIVE. LET ME WALK YOU THROUGH THE ACTUARY'S COST ESTIMATES AND ANALYSIS. FOR ALL THE COSTS THAT FOLLOW THERE ARE TWO WAYS TO ESTIMATE THESE COSTS. YOU COULD HAVE DONE THE ANALYSIS BASED ON THE SAME DOLLAR SUBSIDY PROVIDED BY THE CITY FOR OTHER DEPENDENTS OR SPOUSES, OR YOU COULD HAVE DONE IT ON THE SAME PERCENTAGE SUBSIDY. THE PERCENTAGE SUBSIDY WAS EXTRAORDINARILY EXPENSIVE. I HAVE CHOSEN TO SHOW YOU THE MODEL AT THE LOWER COST MODEL OF ASSUMING THE SAME DOLLAR SUBSIDY. WE CAN SHOW YOU THAT OTHER INFORMATION IF YOU ARE INTERESTED, BUT THIS WILL SHOW YOU THE LOWER NUMBER. IN ADDITION TO THE FUNDING INCLUDED IN THE PROPOSED BUDGET FOR SAME-SEX AND OPPOSITE-SEX DOMESTIC PARTNERS INCLUDING CURRENT AND FUTURE RETIREES, IT WOULD COST AN ADDITIONAL 280,000 EACH YEAR FOR ALL CITY FUNDS TO IMPLEMENT THE BASIC PLUS ONE PROGRAM. THAT WOULD MEAN THE SPOUSE, DOMESTIC PARTNER OR ADULT RELATIVE OF THE EMPLOYEE ONLY. THIS OPTION IS CONSIDERED IN THE MEDIUM RISK CATEGORY BY OUR ACTUARY BECAUSE OF THE URN CERTAINTY SURROUNDING THE AMOUNT OF FUTURE CLAIMS COSTS THAT WOULD BE INCURRED. BY CONTRAST THE 5:00 YOU ARE ANTERIOR -- SIMPLY EXTENDING TO SAME-SEX DOMESTIC PARTNERS WHICH IS INCLUDED IN THE PROPOSED BUDGET. BASED ON FURTHER COUNCIL DIRECTION AT OUR POLICY DISCUSSIONS IN MAY, WE ASKED OUR ACTUARY TO ESTIMATE THE COST FOR OVER COVERAGE OPTION. SO..SO TAKE THE SAME-SEX, OPPOSITE-SEX DOMESTIC PARTNER AND ADD AN ADULT DEPENDENT AS OPPOSED TO OR ADD AN ADULT

DEPENDENT. THAT WOULD COST YOU AN ADDITIONAL 560,000 FOR ALL CITY FUNDS FOR A TOTAL COST OF 840,000. THE TOTAL INCREMENTAL COST BETWEEN WHAT WE HAVE INCLUDED IN THE PROPOSED BUDGET AND EXPANDING COVERAGE TO INCLUDE -- AND THIS IS THE THIRD ENHANCEMENT -- AN ADULT DEPENDENT OF NOT JUST THE EMPLOYEE OR... OR RETIREE BUT THAT ALSO OF THE SPOUSE OR PARTNER, THAT IS ESTIMATED AT A TOTAL ALL FUNDS OF 1.4 MILLION WITH AN IMPACT ON THE GENERAL FUND OF 700,000 A YEAR. MOVING OFF OF INSURANCE AND MOVING TO THE BILINGUAL PAY PROGRAM. YOU HEARD OUR EMPLOYEE WORKFORCE COMMITTEE TALK ABOUT EXAMINING THE COSTS ASSOCIATED WITH THE IMPLEMENTATION OF A BILINGUAL PAY PROGRAM. THIS WAS A TOP PRIORITY FOR OUR WORKFORCE COMMITTEE FROM THE VERY BEGINNING. AND ALTHOUGH IN OUR EMPLOYEE SURVEY IT RANKED VERY LOW, WHAT WE FOUND ON THAT SURVEY IS BENEFITS THAT AFFECTED THE MOST PEOPLE RANKED THE HIGHEST. BENEFITS THAT AFFECTED THE FEWER NUMBER OF PEOPLE RANKED LOWEST. THAT DOESN'T ALWAYS MEAN THAT AN ITEM ISN'T IMPORTANT. FOR OUR EMPLOYEES WHO SPEAK SPANISH AND ARE IN JOBS WHERE THAT'S REQUIRED ON A REGULAR BASIS, THEY ARE FREQUENTLY DOING THEIR JOB AND SEVERAL OTHER PEOPLE'S AS THEY ARE CALLED OFF TO INTERPRET DURING THE DAY. BEGINNING A BASIC BILINGUAL PROGRAM FOR SPANISH ONLY STARTING IN JANUARY 2007 WOULD REQUIRE FUNDING OF ABOUT \$546,000. THAT IS GENERAL FUND AND SUPPORT SERVICES. THE ANNUALIZED COST OF THE PROGRAM IS ESTIMATED AT 720,000. IN OTHER WORDS, IF YOU TRIED TO START IT IN OCTOBER AS OPPOSED TO JANUARY. THE PROGRAM IS RECOMMENDED BY THE EMPLOYEE WORKFORCE COMMITTEE AND IT'S BEEN BUILT AROUND 70 SPECIFIC JOB TITLES PRE-PRIORITIZED BY DEPARTMENTS AND REVIEWED BY THE COMMITTEE. TO BE ELIGIBLE, THE EMPLOYEE WOULD NEED TO USE SPANISH ROUTINELY FOR HIS OR HER JOB AS WELL AS PASS A STANDARDIZED PROFICIENCY TEST. OUR CITY AUDITOR HAS ALSO REQUESTED ADDITIONAL STAFFING IN THEIR BUDGET. ALTHOUGH OUR AUDIT STAFFING LEVELS REMAIN ABOVE, ONE AUDITOR IS REQUESTED AT A COST OF 66,000 BY THE OFFICE OF CITY AUDITOR RESTORE A STAFFING CUT IN

PREVIOUS YEARS. AND REMEMBER OUR BUDGET PROPOSAL ALREADY ADDS BACK 35,000 TO SUPPLEMENT CONSULTING SERVICE FOR THE WATER UTILITY AUDIT AND IT ALSO INCLUDES 115,000 TO IMPLEMENT A RESTRUCTURING, RECLASSIFICATION PAY PROGRAM IN THE OFFICE OF THE CITY AUDITOR. PREVENTIVE STREET MAINTENANCE. YOU SAW THAT AT THE VERY TOP OF CITIZEN CERTAINS IN OUR CITIZEN SURVEY. FOR A NUMBER OF YEARS THE CITY'S GOAL HAS BEEN TO PROVIDE PREVENTIVE MAINTENANCE ON 10% OF LANE MILES ON ANNUAL BASIS. TEAMLY FUNDING OF PREVENT I ACTIVE MAINTENANCE AVOIDS HIGH COST OF STREET RECONSTRUCTION THIS THE LONG RUN. CURRENT RESOURCES ONLY OOPSES PROVIDE AT THE 8% LEVEL. IF YOU WANTED TO RAISE OUR PREVENTIVE MAINTENANCE FROM 8 TO 9% IT WOULD COST \$2 MILLION. NOW, I'M GOING TO TURN IT OVER, AND WE'RE GETTING CLOSE TO THE END HERE, I'M GOING TO TURN IT OVER TO GREG AND GREG IS GOING TO GO OVER TWO TWO THINGS. WE HAVE ONE KEY RATE. HE'S ALSO GOING TO WALK YOU THROUGH A TAX RATE NOTICE ISSUE THAT I WANT TO REMIND COUNCIL OF.

THANK YOU, TOBY. WE HAVE FOCUSED TODAY ON THE CITY'S GENERAL FUND. BUT DURING THE MONTH OF AUGUST IN ADDITION TO HEARING MORE DETAILS ON ALL THE GENERAL FUND DEPARTMENTS' BUDGETS, THE [INAUDIBLE] BUDGETS, THOSE FUNDS THAT HAVE THEIR OWN REVENUE SOURCE FOR EITHER RATES OR FEES, WILL ALSO BE PRESENTING THEIR BUDGET INFORMATION. HOWEVER, WE DID WANT TO BRING BACK TO YOU TODAY AN ISSUE THAT WAS BEFORE YOU DURING POLICY BUDGET DISCUSSION THIS PAST MAY. RATE INCREASES FOR AUSTIN WATER UTILITY. THE FISCAL YEAR 2007 PROPOSED BUDGET INCLUDES A COMBINED 7.1% RATE INCREASE FOR AUSTIN WATER UTILITY CUSTOMERS. THIS IS THE SECOND YEAR OF A PLANNED FIVE-YEAR RATE PLAN. THE RESULTING AVERAGE MONTHLY TAX BILL WOULD BE \$54. UP FROM \$50 THIS CURRENT YEAR. THE MAJOR FACTORS DRIVING THESE RATE INCREASES OF THE UTILITIES LARGE CAPITAL IMPROVEMENTS NEEDS TORE AN AGING INFRASTRUCTURE, NEW GROWTH DEMANDS AND NEW TREATMENT CAPACITY AS WELL AS INCREASED COMMODITY COSTS SUCH AS CHEMICALS AND FUEL. IN LATE AUGUST THE UTILITY WILL BE

BEFORE YOU TO DISCUSS THESE RATE INCREASES AS WELL AS THEIR OVERALL BUDGET.

AND GREG, BACK UP FOR JUST A SECOND BECAUSE WE SAID MONTHLY TAX BILL. WE MEANT MONTHLY UTILITY BILL.

YES, MONTHLY UTILITY BILL. CITY MANAGER, I'M GOING TO TURN IT OVER TO JENNY WHO IS GOING TO WALK US THROUGH WITH OUR LAW DEPARTMENT TO WALK US THROUGH THE TRUTH IN TAXATION.

NEVER BODES WELL WHEN THEY BRING LAW IN FOR A PARTICULAR PIECE.

MAYOR, COUNCILMEMBERS, GENERAL EYE GILCHRIST WITH THE LAW DEPARTMENT. YOU MAY RECALL LAST LEGISLATIVE SESSION THERE WAS AN AMENDMENT ADOPTED TO THE TRUTH IN TAXATION REGULATION THAT NOW REQUIRES A TAXING AUTHORITY TO IF THEY ARE GOING TO CONSIDER ADOPTING A TAX RATE HIGHER THAN THE EFFECTIVE RATE, THE TAXING AUTHORITY HAS TO COME UP WITH A MAXIMUM NUMBER, VOTE TO PROPOSE A MAXIMUM TAX RATE, AND THEN INCLUDE THAT IN THE REQUIRED NOTIFICATIONS FOR THE PUBLIC HEARINGS. WHAT THIS DOES IS IT SETS A CEILING FOR ANY TAX RATE THAT COULD BE ADOPTED BY THE CITY COUNCIL, BUT IT DOES NOT IN ANY WAY IMPACT ON YOUR ABILITY TO ADOPT A LOWER TAX RATE.

SO IT SIMPLY PRESERVES THE OPTION.

IT PRESERVES THE OPTION. IF THE COUNCIL DOES NOT ESTABLISH A RATE ABOVE THE EFFECTIVE RATE, THEN THE LAW PRESUMES THAT THE MAXIMUM TAX THAT THE COUNCIL IS GOING TO ADOPT IS THE EFFECTIVE RATE. SO IN ORDER TO PRESERVE THE WIDEST...EST VARIETY OF OPTIONS, LAST YEAR YOU ALL ADOPTED -- OR YOU ALL ANNOUNCED A FIGURE THAT WAS SOMEWHAT ABOVE THE EFFECTIVE RATE TO GOVERNOR YOU FLEXIBILITY -- TO GIVE YOU FLEXIBILITY WHERE YOU ARE GOING TO ACTUALLY SET THE TAX RATE. IF THE COUNCIL WOULD LIKE TO DO THAT AGAIN NEXT WEEK -- NOT NEXT WEEK, AT THE AUGUST 10th COUNCIL MEETING, YOU WILL BE ASKED TO VOTE ON A FIGURE THAT WILL BE THE MAXIMUM PROPOSED TAX RATE. AGAIN, THAT'S A CEILING

ABOVE WHICH YOU ALL CANNOT SET THE TAX RATE BUT IN NO WAY AFFECTS WHAT THE ACTUAL RATE WILL BE. ALSO ON AUGUST 10th YOU WILL BE ASKED IF YOU INTEND TO OR WANT TO CONSIDER ESTABLISHING A TAX RATE HIGHER THAN THE EFFECTIVE RATE TO SET TWO PUBLIC HEARINGS. STAFF WILL RECOMMEND THAT THOSE BE HELD ON THE SAME DATES AS THE BUDGET PUBLIC HEARINGS. AND JUST A REMINDER, EVEN THOUGH WE TAKE BUDGET AND TAX RATES AND HOLD THE HEARINGS TOGETHER AND CONSIDER THEM TOGETHER, SEPARATE ACTIONS ARE REQUIRED BY COUNCIL TO ADOPT THE TAX RATE FROM THE BUDGET. THAT'S A STATE LAW REQUIREMENT. THE NUMBER THAT -- OR THE PROPOSAL MAXIMUM TAX RATE -- PROPOSED MAXIMUM TAX RATE THAT WOULD BE SET IF YOU CHOSE TO DO SO WILL BE PUBLISHED IN THREE DIFFERENT WAYS. WE TAKE OUT AN AD IN A LOCAL PAPER, IN THIS CASE IT'S THE STATESMAN. WE HAVE TO DO A PUBLIC SERVICE ANNOUNCEMENT ON CHANNEL 6, AND WE'RE ALSO REQUIRED TO POST THE NOTICE ON OUR WEBSITE. AGAIN, THOSE ARE ALL STATE LAW REQUIREMENTS.

ALL RIGHT, SO LET'S PULL UP THE LAST SLIDE HERE. WE'RE LOOKING GONE AT THE BUDGET SCHEDULE, JUST TO REMIND YOU. WE'VE JUST FINISHED THE PROPOSED BUDGET PRESENTATION AND WE'LL BE OPENING IT UP FOR ANY QUESTIONS THAT YOU MIGHT HAVE. WE MOVE ON TO AUGUST 10th. WE BEGIN YOUR SERIES OF BUDGET PRESENTATIONS, AND THIS IS WHERE THE DISCUSSION OF HOW YOU HAVE TO HANDLE PRESERVING YOUR OPTIONS IF YOU CHOOSE TO DO THAT ON A TAX RATE ABOVE THE EFFECTIVE RATE. AUGUST 24th ANOTHER BUDGET HEARING. IT WOULD ALSO INCLUDE THE PUBLIC -- THE TAX RATE PUBLIC HEARING. AUGUST 31st ANOTHER BUDGET PRESENTATION. AND PUBLIC HEARING. AND IT WOULD INCLUDE THE SECOND TAX RATE PUBLIC HEARING, AND THAT GETS YOU DOWN TO YOUR THREE BUDGET READINGS IN SEPTEMBER. FIRST READING ON THE 11th, SECOND READING ON THE 12th, THIRD READING ON THE 13th. WE'RE GOING TO PUT OUR STANDARD PROCESS IN PLACE FOR BUDGET Q AND A, AND GREG, WOULD YOU LIKE TO DESCRIBE HOW THAT WORKS?

SURE, CITY MANAGER. AS IN PRIOR YEARS, WE WILL BE

DOING A FORMAL BUDGET QUESTION AND ANSWER PROCESS. AND BASICALLY ANY QUESTION THAT YOU MAY HAVE ABOUT THIS BUDGET, YOU CAN SUBMIT THAT TO THE BUDGET OFFICE, YOU CAN JUST E-MAIL THAT TO MYSELF, AND WE WILL BEGIN A LOG OF ALL THE BUDGET QUESTIONS THAT WE RECEIVE AND GET THEM OUT TO THE DEPARTMENTS TO ANSWER THEM AND GET THEM BACK TO YOU. OUR GOAL IS TO HAVE THEM BACK TO COUNCILMEMBERS WITHIN FIVE DAYS. IN ADDITION TO THAT, WE'RE ALSO WORKING ON A SERIES OF FREQUENTLY ASKED QUESTIONS THAT COME UP ABOUT OUR TAX RATE, OUR HISTORICAL TAX RATE, OUR HISTORICAL SALES TAX ABOUT 10 TO 15 QUESTIONS. AND WE'LL BE GETTING THEM OUT THE DOOR EARLY NEXT WEEK AND THEY WILL ALSO BE POSTED ON OUR WEBSITE. ALL THE QUESTIONS THAT WE DO ANSWER WILL BE SENT TO YOU VIA OFFICIAL DISTRIBUTION AS WELL AS POSTED ON THE CITY'S WEBSITE FOR EVERYONE TO BE ABLE TO REVIEW.

AND THE PROPOSED BUDGET BEING DELIVERED TO ALL THE COUNCIL OFFICES ALONG WITH A COPY OF THE CITIZEN SURVEY, THE FOCUS GROUP REPORT, AND THE PAMPHLET THAT OUTLINES ALL THE EMPLOYEE BENEFIT FILTH PACKAGE.

THAT IS CORRECT. IN FACT, TWO COMES OF THE BENEFIT ARE BEING DELIVERED TO EACH OF THE COUNCIL OFFICES.

THE PROPOSED BUDGET UP ON THE WEB PAGE.

SHOULD BE UP ON THE WEB PAGE AS WE SPEAK, AS WELL AS THIS PRESENTATION.

SO WITH THAT, COUNCIL, YOUR BUDGET.

Mayor Wynn: CONGRATULATIONS. THAT'S A LOT OF WORK.
[LAUGHTER]

Mayor Wynn: JUST TO PRESENT IT LET ALONE FORMAT IT -- FORMULATE IT. QUESTIONS, COMMENTS, COUNCIL? COUNCILMEMBER McCRACKEN.

McCracken: FIRST I NOTE THAT THIS IS -- THIS IS A VERY MEAT

AND POTATOES BUDGET, A LOT OF ISSUES OF MAINTENANCE AND MEETING RESPONSIBILITIES IN SOME VERY BASIC SERVICES. I THINK THAT ONE OF THE MOST TELLING CHARTS ON THIS IS ON PAGE 5 WHICH IT SHOWS THE RATE OF GROWTH OF POPULATION IN THE CITY OF AUSTIN. SO, FOR INSTANCE, IF YOU HAVE, YOU KNOW, FIVE CLERKS AT A MUNICIPAL COURT AND YOUR POPULATION GOES UP BY 250,000 PEOPLE, YOU STILL HAVE FIVE CLERKS, YOU ACTUALLY PROVIDE A GREATLY REDUCED LEVEL OF SERVICE. IN PARTICULAR SINCE WE HAD TO CUT ALMOST 1,000 POSITIONS IN THIS CITY OUT OF A TOTAL OF 10,000 ABOUT --

AT THAT TIME ABOUT 11,000.

McCracken: SO WE HAD TO REDUCE THE CITY WORKFORCE ALMOST 10% AT A TIME THE CITY'S POPULATION WAS GROWING BY ABOUT -- BY ABOUT 50,000 PEOPLE IN THAT ONE STRETCH ALONE, I THINK YOU SEE THE ABILITY OF PEOPLE TO GET THE PHONES ANSWERED, TO GET THEIR BUILDING PERMITS FOR HOMES OR THEIR PROJECTS HAS REALLY SUFFERED. AND WE'VE -- I THINK WE'RE SEEING ALSO THAT THE LEVEL OF ANIMAL YOUTH NAIGZ EUTHANATIONS HAVE INCREASED. WE'VE REALLY SEEN THAT, YOU KNOW, WHAT HAPPENED AFTER SEPTEMBER 11th HAS REALLY CAUSED A DECLINE IN VERY BASIC SERVICES TO THE PUBLIC. ONE OF THE QUESTIONS I HAD ON THIS IS ON PAGE 7, IT REFERS TO OTHER GENERAL FUND REVENUE INCREASES OF \$3.9 MILLION. WHAT DOES THAT SPEAK TO?

COUNCILMEMBER, THIS CHART ON PAGE 7 IS A COMPARISON OF WHAT WE HAD PROJECTED OUR 2007 BUDGET TO BE AT THE FORECAST TO NOW. AND THAT \$3.9 MILLION INCREASE IS RELATED TO GENERALLY THREE AREAS. ONE IS \$1.1 MILLION IN THE E.M.S. RATE CHANGE THAT WE DISCUSSED. ANOTHER IS \$1.2 MILLION IN ADDITIONAL INTEREST INCOME WE WILL BE RECEIVING AS A RESULT OF HIGHER SHORT-TERM INTEREST RATES THAT WE'RE OBSERVING IN THE MARKET. AN ADDITIONAL \$500,000 IN DEVELOPMENT REVENUE, AGAIN KEEPING PACE WITH WHAT WE SEE THE DEVELOPMENT ACTIVITY ON OUR PERMITS AND INSPECTIONS.

AND I THINK MAYBE GREG ABOUT 300,000 FOR THE REST OF THE FEE INCREASES IN THE INITIATIVE.

CORRECT.

THERE'S ALSO ABOUT -- EXCUSE ME, THERE'S ALSO ABOUT A MILLION DOLLARS IN INCREASED GAS FRANCHISE REVENUE INCLUDED IN THERE.

McCracken: AND ON PAGE 8 THE OTHER ESTIMATED COSTEN COST INCREASES, THE \$8.8 MILLION, IS THAT KIND OF THE LUMP SUM OF THE VARIOUS THINGS WE SAW PRESENTED IN THE REST OF THE DISCUSSION OR --

WHAT PAGE ARE YOU ON?

McCracken: PAGE 8.

OKAY.

COUNCILMEMBER, AGAIN, IT'S A VARIETY OF MOSTLY NON-DEPARTMENTAL EXPENSES. THE GENERAL FUND'S CONTRIBUTION TO THE SUPPORT SERVICE FUND IS AN INCREASE OF ABOUT 4.6 MILLION. THE TEMP CONVERSION IS ABOUT A MILLION DOLLARS. THE MARKET NUMBERS ABOUT A MILLION DOLLARS. ALSO WE HAVE TRANSFERS OUT TO OTHER FUNCTIONS THROUGHOUT THE CITY. TRANSPORTATION FUND. OUR PUBLIC WORKS -- OUR PUBLIC WORKS MANAGEMENT FUND, AS WELL AS GENERAL FUND CTM COSTS AND WIRELESS COSTS OF ABOUT A MILLION DOLLARS. THAT'S WHAT THAT INCREASE IS DRIVING THAT INCREASE AGAIN FROM WHAT WE HAD FORECASTED BACK IN APRIL DURING THE FORECAST TO NOW OUR REFINING AND FINE TUNING OVER THE LAST SEVERAL MONTHS.

McCracken: I KNOW THAT FOR INSTANCE ONE OF THE OBLIGATIONS WE WERE HAVING TO BUILD IN ADVANCE WAS I THINK WITH THE FEDERAL ACCOUNTING STANDARDS FOR PENSIONS CHANGED THE DEAF. DEFINITIONS OF WHAT ALL CITIES IN THE COUNTRY HAD TO MAINTAIN. CAN YOU REMIND ME, I KNOW YOU SPOKE TO THIS, BUT WHAT ARE WE HAVING TO BUILD INTO OUR PENSION SYSTEM AS A RESULT OF THESE FEDERAL DEFINITION CHANGES IN THE AGGREGATE

AND WHAT ARE WE BUILDING IN THIS YEAR?

YOU CAN GO AHEAD AND TAKE IT, JOHN.

COUNCILMEMBER, WE HAVE INCLUDED -- AGAIN IN OUR LIST OF ONE-TIME COSTS 1.3 MILLION FOR THE GENERAL FUND'S PORTION OF THE STIPEND TO THE EMPLOYEE RETIREMENT SYSTEM. NOW, THE EMPLOYER RETIREMENT SYSTEM IS ADMINISTERED SEPARATELY AND, YOU KNOW, THERE'S NO OBLIGATION FOR THE CITY TO PUT THAT MONEY INTO THE SYSTEM. THERE'S NO STATE LAW OR FEDERAL LAW THAT REQUIRES US TO DO THAT. SO WE'RE DOING THAT TO SIMPLY HELP THE FUND OUT, TO TRY TO GET THEM TO A POSITION WHERE THEY WILL BE ABLE TO AMORTIZE THEIR UNFUNDED LIABILITY OVER AN ACCEPTABLE PERIOD OF TIME BECAUSE THEY. THEY CANNOT NOW DO THAT AND HAVEN'T BEEN ABLE TO FOR TWO OR THREE YEARS. SO THE AGREEMENT THAT WE REACH WITH THEM THAT CON APPROVED BACK IN MAY OF 2005 WAS THAT UNDER CERTAIN CONDITIONS IF THE MARKET DOESN'T BEGIN TO IMPROVE THEIR OUTLOOK THAT WE WOULD PROVIDE A TEMPORARY STIPEND TO THEM THAT'S EQUIVALENT TO 1% OF PIE. IT'S NOT AN ONGOING OBLIGATION BUILT IN.

THAT'S WHY YOU WILL SEE THAT LOADED IN THE ONE-TIME MONEY COLUMN. IT'S 1.3 FOR GENERAL FUND SUPPORT SERVICES, AND IF YOU LOOK ACROSS ALL FUNDS, IT'S VERY SIGNIFICANT, 3.6 MILLION.

MAYOR, IF I COULD ADD ONE THING, THAT PARTICULAR CONTRACT IS GEARED TO A CERTAIN PERFORMANCE LEVEL OF THE FUND. SO IF WE -- IF THE FUND REACHES -- AND I'M ON THE BOARD. IF IT REACHES 12% ANNUALIZED RETURN, THEN WE'RE NOT OBLIGATED TO MAKE THAT CONTRIBUTION, AND I THINK THAT PERCENTAGE IS RIGHT, BUT "-.

THAT IS CORRECT.

OKAY. THANKS.

Dunkerley: BUT THIS NEXT YEAR WE HAVE TO DO IT.

AND WE TALKED ABOUT A FEW OTHER THINGS. WE ALSO

HAVE PUT SOME ADDITIONAL CONTROLS ON ANY ADDITIONAL COLAS WHILE WE'RE MAKING THIS INVESTMENT TO TRY TO GET IF FUND HEALTHY. THERE ARE A NUMBER OF CONTROLS AND CRITERIA TIED TO IT BUT IT'S AN IMPORTANT THING TO DO AND IT'S A SIGNIFICANT INVESTMENT FOR OUR WORKFORCE.

McCracken: THE -- GREG, THIS MAY BE A QUESTION FOR YOU. WHAT IS THE MEDIAN HOME VALUE IN AUSTIN FOR TAX PURPOSES IN THIS BUDGET?

COUNCILMEMBER, AS I MENTIONED IN THE PRESENTATION, SINCE WE'VE JUST RECEIVED THE CERTIFIED ROLL, WE'VE KIND OF GOT THE SUMMARY STATISTICS ON IT, WE DO NOT YET HAVE THE DETAILED DATA TO RUN BOTH THE MEDIAN AND THE AVERAGE. HOWEVER, WE'VE ALREADY REQUESTED THAT INFORMATION FROM BOTH THE APPRAISAL DISTRICTS AND OVER THE NEXT SEVERAL WEEKS WE'LL BE RUNNING THAT. THERE AVENUES RECENT ARTICLE IN THE STATESMAN ABOUT MEDIAN SALES PRICE FROM THE AUSTIN BOARD OF REALTORS, AND I BELIEVE THE LAST MEDIAN -- AVERAGE SALES PRICE WAS ABOUT \$172,000. AND WHILE THAT DOESN'T -- WHILE THAT WILL NOT BE THE EXACT MEDIAN OF A TAX BILL, FOR A TAXPAYER, IT IS CORRELATED TO THAT.

AND IT ALSO WAS THE AREA, WASN'T IT?

IT'S THE ENTIRE AREA.

IT'S THE METRO AREA AND THAT WILL BE ALSO A LITTLE SKEWED.

THE CITY OF AUSTIN MEDIAN WAS ABOUT 151,000. WE'RE OBVIOUSLY EXPECTING THAT TO INCREASE AND AS WE GET THAT DATA WE WILL RUN THOSE NUMBERS AND GET THEM OUT TO THE ENTIRE COUNCIL.

McCracken: I THINK IT WAS EITHER 151,000 WAS THE MEDIAN TAXABLE VALUE IN AUSTIN.

IN AUSTIN.

THAT'S CORRECT.

McCracken: AND I THINK FOR THE PRESENTATION TODAY WE SHOWED --

WE USED 175.

McCracken: SO HE... WE CHOSE A NUMBER THAT AT LEAST COMPARED TO LAST YEAR'S WAS \$25,000 HIGHER THAN THE MEDIAN TAX VALUE FROM LAST YEAR. AND THE MOST THAT A MEDIAN HOME'S TAXABLE VALUE COULD HAVE INCREASED AT 151,000 WOULD HAVE BEEN, WHAT, \$15,000 IN TAXABLE VALUE, SOMETHING LIKE THAT?

TO ABOUT 165,000.

McCracken: REMIND ME IN OUR TAX RANGE, I'M TRYING TO FIND THE PAGE THAT HAD THE RANGE OF TAX RATES WE CAN CONSIDER. WHAT PAGE IS THAT?

I THINK THERE'S A SLIDE AT THE END OF THE PRESENTATION THAT HAS A CHART OF THAT AND I BELIEVE IT'S SLIDE -- BEGINNING OF THE UNFUNDED. SLIDE 47.

I HAVE PAGE 47. SLIDE 47.

McCracken: JUST GIVE US KIND OF A SENSE OF WHAT WE'RE TALKING ABOUT IN TERMS OF THE RANGE OF DOLLARS FOR THE, A, \$175,000 HOUSE, WHICH IS -- WOULD ALMOST CERTAINLY HIGHER THAN THE MEDIAN TAX. WE'RE TALKING ABOUT A CHOICE BETWEEN A TAX BILL FOR A \$175,000 HOUSE AT THE EFFECTIVE RATE OF 39.85 CENTS WOULD BE \$697.38. AND THEN THE -- THE TAX RATE AT THE RATE OF 41.26 CENTS WOULD BE \$722.05.

THAT'S CORRECT.

McCracken: SO WE'RE LOOKING AT REALLY THE DIFFERENCE FOR AN AVERAGE HOMEOWNER OF ABOUT TWO BUCKS A MONTH IS WHAT THE RANGE OF DISCUSSION IS. SO I MEAN BASICALLY AS WE -- FOR SOMEONE WHO IS ABOVE THE MEDIAN TAX RATE, MEDIAN TAX VALUE, AND WE'LL FIND THAT OUT AT OUR NEXT MEETING. BUT BASICALLY WHAT

WE'RE LOOKING AT IS OUR RANGE OF DISCUSSION FOR HOMEOWNERS OVER THE NEXT MONTH WILL BE THE DIFFERENCE OF \$2 A MONTH. JUST TO GET US A LITTLE PERSPECTIVE, AND THAT LEADS ME TO MY NEXT QUESTION T CITY OF AUSTIN, GREG, BECAME THE FIRST CITY IN THE STATE OF TEXAS TO ASK FOR THE AUTHORITY RECENTLY FROM THE LEGISLATURE TO HAVE AUTHORITY TO CAP THE RATED INCREASE OF TAX APPRAISE APPRAISALS -- TAX APPRAISAL VALUE OF THE HOUSE FROM 10% TO AS LOW AS 5%. I KNOW YOU'VE DONE AN ANALYSIS OF WHAT THE IMPACT ON THE TAX RATE WOULD HAVE BEEN, BUT FOR A HOMESTEAD EXEMPTION AND FOR A CAP ON TAX APPRAISALS BEING REDUCED 10% TO 5%. AND CAN YOU TELL US -- I HAVE A RECOLLECTION THAT YOU DID THE WORK.

SURE, COUNCILMEMBER. WE DID. WE PUT SOME -- WE LOOKED AT THE NUMBERS -- LET ME REMIND EVERYONE RIGHT NOW THAT CITY OF AUSTIN BY STATE LAW, HOMEOWNERS, THEY ARE TAXABLE VALUE ON THEIR HOME CAN ONLY INCREASE 10%. FOR THAT NUMBER TO CHANGE, IT WOULD TAKE -- IT WOULD TAKE THE LEGISLATURE TO CHANGE WHAT IT COULD TURN INTO. WE ACTUALLY HAVE A BACKUP SLIDE PREPARED, IF WE CAN FORWARD TO SLIDE 64. SO IF WE REDUCED OUR -- THE CURRENT TAX -- CAP AT 10% DOWN TO 7%, MEDIAN VALUE OF HOMESTEADED PROPERTY WOULD SEE REDUCTION OF ABOUT \$20 A YEAR. THE THING TO NOTE IS ON THE PROPERTY TAX REVENUE THE CITY WOULD BE -- WOULD REALLY NOT BE AFFECTED. IT WOULD BE TO MARGINS THAT WOULD BE EFFECTED BECAUSE THE CHANGE TO EFFECTIVE TAX RATE WOULD BE MARGINAL, HUNDREDS OF A CENT, OF A PENNY. ABOUT 4/100. IT WOULD BE VERY SIMILAR FOR THE NEW RATE. THE BIG TREND THAT WOULD OCCUR IS THERE WOULD BE A SHIFT IN THE TAX BURDEN FROM THE RESIDENTIAL SIDE TO OTHER CLASSES, FOR EXAMPLE, TO THE COMMERCIAL SIDE. SO I THINK WHAT YOU WOULD GET IN A DIFFERENT APPRAISAL CAP YOU WOULD GUT FOR THOSE PROPERTIES THAT WOULD BE -- THAT WOULD BE -- WOULD BE CAPPED UNDER 10% OR 7% WOULD SEE A REDUCTION IN THEIR TAX BILL, BUT CITY OF AUSTIN TAX REVENUE WOULD BE GENERALLY UNAFFECTED.

McCracken: AND TO GET A RECAP OF WHAT YOU SAID THEN, IF WE HAD RECEIVED THE AUTHORITY WE SOUGHT FROM THE LEGISLATURE, WE COULD HAVE REDUCED THE APPRAISAL CAP FROM 10% TO 5% AND IT WOULD HAVE HAD NO EFFECT-AN IN FIN TEST MALL EFFECT. 39.85 CENTS, IT MAY HAVE BEEN 39.855 CENTS OR SOMETHING LIKE. THAT THAT'S WHAT I RECALL YOU DISCOVERED.

THAT'S CORRECT, COUNCILMEMBER.

McCracken: AND IN ADDITION, YOU ALSO DID AN ANALYSIS ON WHAT WOULD HAVE BEEN THE IMPACT TO THE GENERAL FUND IF WE HAD GONE TO HOMESTEAD EXEMPTION AS OPPOSED TO A LOWER CAP ON TAX APPRAISALS. CAN YOU TELL US WHAT THAT EFFECT WAS?

HOMESTEAD EXEMPTION, FOR EXAMPLE, THE COUNTY HAS A HOMESTEAD EXEMPTION OF 20%. THE WAY WE ARE -- THE WAY WE HAVE TO CALCULATE THE EFFECTIVE TAX RATE, WE WOULD NOT BE ABLE TO MAKE UP THAT LOST VALUE. SO HOMESTEAD EXEMPTION, 20% HOMESTEAD EXEMPTION WOULD RESULT IN APPROXIMATELY \$18 MILLION IN LOST REVENUE FOR THE CITY THAT, AGAIN, WE WOULD NOT BE ABLE TO RECOVER BY ALTERING THE TAX RAI.

McCracken: IN FACT WHAT WE'RE SEEING HERE IS, AS YOU POINT OUT, YOU ARE NOT ALLOWED TO COUNT THE LOSS OF REVENUE FROM THE HOMESTEAD EXEMPTION IN SETTING THE EFFECTIVE TAX RATE SO THE EFFECTIVE TAX RATE THIS THIS CASE WOULD HAVE BEEN 39-POINT. IS THAT CORRECT?

THAT'S CORRECT.

McCracken: AND I THINK THIS IS A PRETTY CATASTROPHIC IMPACT FOR HOMESTEAD EXEMPTION ON WHAT IS A MEAT AND POTATOES BUDGET AS WE HAVE BEFORE US TODAY. WHEREAS WE COULD HAVE EVERY TIME OF THE OFTEN.. OBJECT... OBLIGATIONS STILL BE FUNDED AT THE SAME TAX RATE EVEN WITH A 5% OR 7% APPRAISAL CAP COMPARED TO 10... 10%. IS THAT RIGHT?

THAT'S CORRECT, YES.

McCracken: THE -- I RECALL THAT DURING THE BOND HEARINGS WE HAD RECEIVED SOME CRITIQUES OF THE BOND PROPOSALS FROM THE REAL ESTATE COUNCIL AND SOME OTHER FOLKS. I THOUGHT THAT WAS A FAIR CRITIQUE. THAT WE AS A BEST PRACTICE SHOULD BE FOCUSING MAINTENANCE EXPENDITURES ON AN ANNUAL GENERAL FUND PROCESS AS OPPOSED TO A BOND PROCESS AND THE REALISTIC POINT OF IT WAS WE DIDN'T HAVE A CHOICE AFTER SEPTEMBER 11th WHEN OUR REVENUES COLLAPSED ON US. THAT SAID, YOU ALL PRESENTED TO US AN OPTION THAT WE COULD BEGIN SHIFTING MORE MAINTENANCE DOLLARS TO ANNUAL GENERAL FUND OPERATING EXPENSES, AND I THINK YOU GAVE US THE BEST PRACTICES -- OR YOUR TARGET GOAL IS THAT WE SHOULD BE FUNDING 10% OF OUR ROAD MAINTENANCE EVERY YEAR, 10% LANE MILES OF OUR ROADS EVERY YEAR. WE'RE CURRENTLY FUNDING 8% OR 20% LESS THAN WHAT WE CONSIDER BEST PRACTICES. AND THEN FINALLY YOU SAID IF WE COULD GET AN EXTRA -- TO GET TO 9% IT WOULD COST AN EXTRA \$2 MILLION A YEAR. THAT'S NOT FUNDED AT THE EFFECTIVE TAX RATE. THAT WOULD BE IF WE WERE TO CUT THE TAX RATE BUT NOT CUT IT ALL THE WAY DOWN TO THE EFFECTIVE TAX RATE.

THAT'S CORRECT.

McCracken: NOW, WE HAVE OTHER MAINTENANCE RESPONSIBILITIES IN OUR BUDGET BESIDES PAVING ASPHALT. WE HAVE, FOR INSTANCE, VIRTUALLY ALL THE BOND DOLLARS FOR SIDEWALKS IS BEING SPENT ON SIDEWALK MAINTENANCE AS OPPOSED TO NEW SIDEWALKS, EVEN THOUGH WE HAVE ONE OF THE WORST SIDEWALK SITUATIONS OF ANY MAJOR CITY IN THE YAITSD IN TERMS OF NOT HAVING ANY SIDEWALKS ON ARTERIALS AT ALL IN PLACES. WHAT IS THE -- COULD YOU -- IF YOU DON'T HAVE IT TODAY, COULD YOU GET US THE INFORMATION ON WHAT WE NEED TO BE GETTING ON MAINTENANCE DOLLARS ON OUR SIDEWALK SYSTEMS AS WELL BECAUSE IDEALLY I THINK AS THE REAL ESTATE COUNCIL TELLS US WE SHOULD BE SPENDING MORE MONEY EVERY YEAR ON MAINTENANCE ON OUR TRANSPORTATION. AND OTHERS TOLD US THAT TOO AND I THINK IT'S A ACCURATE THING ABOUT WHAT WE SHOULD BE DOING. BUT WHAT WOULD WE NEED TO NEED TO

DO, WHAT IS OUR TARGET TO FUND MAINTENANCE ON SIDEWALKS AND WHERE ARE WE IN FUNDING MAINTENANCE ON OUR SIDEWALKS?

WE'LL GET THAT FOR YOU. WE'LL ALSO GET YOU AN INVENTORY OF EXACTLY WHAT SORTS OF FUNDS AND HOW THEY ARE -- SOURCES OF FUNDS AND HOW THEY ARE BEING SPENT NOW. CERTAIN FUNDS ARE DEDICATED TOWARD NEW SIDEWALKS AND CERTAIN FUNDS ARE DEDICATED TOWARDS PATCHING, FILLING IN GAPS ON SIDEWALKS.

McCracken: I WOULD LIKE THAT INFORMATION ALSO ON FACILITIES BECAUSE, FOR INSTANCE, WE ARE HAVING TO DEVOTE A CONSIDERABLE OF OUR BOND DOLLARS TO MAINTENANCE OF OUR EXISTING FACILITIES, BUT, YOU KNOW KIND OF WHAT IS OUR -- IN TERMS OF INTERNALLY HERE AT THE CITY WHAT IS THE BEST PRACTICES ON AN ONGOING MAINTENANCE SCHEDULE FOR FACILITIES MAINTENANCE SO WE DON'T HAVE TO DO IT THROUGH BONDS?

AND REMEMBER, MOST OF WHAT WE'RE CALLING MAINTENANCE HERE, YOU WOULD HAVE TO AT LEAST CALL HEAVY MAINTENANCE OR RENOVATION. IT'S THE KIND OF THING OF REPLACING A ROOF OR REPLACING A HVAC SYSTEM. BUT WE CAN GET YOU WHAT WE'RE SPENDING RIGHT NOW ON THE MORE PREVENTIVE AND ROUTINE MAINTENANCE IN THE DEPARTMENT AND WHAT A BEST PRACTICE FOR THAT IN YOUR ONGOING O&M WOULD BE.

McCracken: SO THEN I WOULD FINALLY THE LAST TWO I WOULD LIKE INFORMATION ON IN THAT REGARD, IN ADDITION TO THE ROADS AND SIDEWALKS AND FACILITIES WOULD BE PARKS. AND FINALLY, WHAT DO YOU SEE AS OUR FINANCIAL RESPONSIBILITY TO HAVE A GRAFFITI REMOVAL POLICY THAT FULLY FUNDS THOSE RESPONSIBILITIES? I THINK WHAT WE SAW FOR INSTANCE WHEN NORTHBOUND CITY DECIDED IT WANT TO MAKE A BIG DENT IN CRIME THIS THE MID-90s, THE FIRST THING THEY DID WAS START REMOVING GRAFFITI FROM SUBWAYS. I THINK WE'RE SEEING AN EFFORT TO HAVE AN UPTICK IN OUR GRAFFITI REMOVAL RESPONSE, BUT, YOU KNOW, IF WE'RE GOING TO FUND THE GRAFFITI REMOVAL TO MEET OUR RESPONSIBILITIES TO

KEEP THE PUBLIC SAFE, JUST LIKE NEW YORK CITY TARGETED, WHAT DO WE NEED TO BE DOING ON THAT? MAYBE WE'RE 100% OF THE WAY THERE IN THIS PROPOSAL.

I DO NOT THINK WE ARE 100% THERE. WE CUT OUR GRAFFITI ABATEMENT PROGRAM BASICALLY BACK TO ONE PERSON AND A LIMITED USE EMPLOYMENT SECTION. WHAT YOU HAVE IN HERE IS ADDING TWO POSITIONS BACK AND \$200,000. MY GUESS IS THAT IS NOT WHAT YOU WERE TALKING ABOUT IN TERMS OF AN ON THE SPOT GRAFFITI ABATEMENT PROGRAM. WE CAN GET YOU WHAT WE THINK THAT WOULD LOOK LIKE.

McCracken: YEAH. AND THEN WHAT IS THE -- IF YOU DON'T HAVE IT OFF THE TOP OF YOUR HEAD AND I BET YOU ALL KNOW IT OFF THE TOP OF YOUR HEAD, WHAT IS THE CITY'S RATINGS IN THIS GENERAL FUND, WHAT ARE THE BOND RATING AGENCY'S RATING AND THE CITY'S FINANCES?

GENERAL A BONDS ARE DOUBLE A PLUS RATING.

McCracken: TELL US HOW GOOD IS THAT.

FOR THE SITUATION THAT AUSTIN IS IN, I WOULD SAY IT'S VERY GOOD. THERE ARE TRIPLE A RATED CITIES ACROSS THE COUNTRY, BUT THEY DO NOT, FOR EXAMPLE, RELY ON A LARGE TRANSFER FROM AN ELECTRIC UTILITY LIKE AUSTIN DOES AND I THINK THAT'S THE PRIMARY REASON WHY WE DO NOT HAVE A TRIP ET A RATING, WE OTHERWISE WOULD HAVE.

ON THE OTHER HAND WE WOULD HAVE SIGNIFICANTLY HIGHER TAX RATE.

YES, WE WOULD.

THAT'S YOUR TRADEOFF THERE.

BUT THE RATING AGENCIES SEE THE TAX BASE AS THE MOST SECURE SOURCE OF FUNDING FOR GENERAL GOVERNMENT OPERATIONS. BUT OUR BONDS CERTAINLY SELL VERY WELL AND WE HAVE -- WE HAVE RECENTLY GOTTEN NOT NECESSARILY AN UPTICK ON OUR GENERAL

OBLIGATION BOND BUT OUR OUTLOOK WAS PUT TO OPTIMISTIC AND THAT SOMETIMES SIGNALS THAT YOU ARE IN FACT GOING TO GET A BOND UPGRADE AND I'M SURE THE CITY MANAGER AND ALL THE REST OF US WILL BE WORKING ON THAT VERY HARD OVER THE NEXT YEAR.

McCracken: I THINK IT WOULD BE HELPFUL AS PART OF THE TAX RATE PRESENTATION, YOU KNOW, YOU ALL HAVE GIVEN US A VERY HELPFUL BREAK DOWN OF HOW OUR TAX RATES COMPARE TO OTHER CITIES AND I'VE TALKED TO GREG ABOUT GETTING US WHERE OUR MEDIAN HOME VALUES COMPARE. I THINK OUR MEAN YAD HOME VALUES ARE SIMILAR TO OUR PEER CITIES AROUND THE STATE AND WE HAVE A MUCH LOWER TAX RATE TO BOOT. I THINK IT WOULD BE HELPFUL TO SEE HOW OUR GENERAL FUND BOND RATING COMPARES AS WELL. MY RECOLLECTION IS WE ARE -- HAVE ONE OF THE BEST IF NOT THE BEST BOND RATINGS IN THE STATE AMONG MAJOR CITIES. AND THAT REFLECTS THE NATIONAL EXPERTS' ASSESSMENT OF HOW FISCALLY WELL RUN THE CITY OF AUSTIN IS AND THE TAXPAYERS ASSESSING WHETHER THEIR TAX DOLLARS ARE BEING INVESTED WISELY. ON THE BARTON SPRINGS POOLS AND OTHER POOLS THAT WE HAVE THAT PROPOSAL TO PROVIDE BETTER MAINTENANCE AND REALLY FIRST TIME MAINTENANCE IN QUITE A WHILE, SPEAKING TO THIS, LET'S NOT DO IT IN THE BONDS, WE SEE BY EXAMPLE TODAY, IT IS PROPOSED TO BE PAYING FOR IT THROUGH ONE-TIME FUNDS. SO I WOULD LIKE SOME ASSESSMENT OF WHAT -- WHAT YOU ALL CONSIDER TO BE THE IDEAL PRACTICE, AND WE HAVE BY FORCE OF NECESSITY AFTER 9-11, WE HAD TO SLASH OUR FUNDING ON A LOT OF OUR RESPONSIBILITIES INCLUDING OUR RESPONSIBILITIES TO CLEAN TOILETS AND CLEAN POOLS AND KEEP OUR PUBLIC, YOU KNOW, OUR PARKS AND ROADS AND SIDEWALKS WELL MAINTAINED. SO AS WE CONSIDER IN THIS BUDGET HOW TO MEET OUR RESPONSIBILITIES TO THE COMMUNITY, I THINK IT WOULD BE HELPFUL TO NOTE WHETHER IT'S CONSIDERED A BEST PRACTICE TO HAVE AN ONGOING MAINTENANCE SCHEDULE FOR THINGS LIKE OUR POOLS AS WELL AND FOR BARTON SPRINGS POOL. SHOULD WE START AS A BEST PRACTICE LOOKING AT DO WE MAINTAIN NOT JUST OUR ROADS AND SIDEWALKS BUT OTHER PUBLIC FACILITIES LIKE BARTON

SPRINGS SPRING.

WE HAVE IN THE PARKS DEPARTMENT RIGHT NOW OUR DIRECTOR OF PARKS HAS JUST EMBARKED ON GETTING AN ACRED EDUCATION CERTIFICATION PROCESS FOR OUR PARKS DEPARTMENT. A VERY BIG PART OF THAT IS BASICALLY AN ASSET MANAGEMENT SYSTEM. IT'S THE REASON WE WERE VERY INTERESTED IN THE CERTIFICATION SO WE ARE SYSTEMICLY MOVING TOWARDS THAT RIGHT NOW, WHAT THAT LOOKS LIKE, WHAT THAT WILL COST AND WE'LL GET YOU THE BEST NUMBER WE CAN.

McCracken: I THINK IN GENERAL IT WOULD BE HELPFUL TO HAVE AN OVERALL ASSESSMENT OF WHAT MANAGEMENT BELIEVES IS A BEST PRACTICE ON MAINTENANCE ON AN ONGOING ANNUAL BASIS, MAINTENANCE SCHEDULE, WHAT THAT COSTS. WE KNOW AT A MINIMUM JUST TO GET TO MINIMUM RECOMMENDED ROAD MAINTENANCE WILL COST 4 MILLION BUCKS A YEAR AND THAT'S NOT COUNTING FACILITIES, PARKS, SIDEWALKS, POOLS, JUST THE ROADS 4 MILLION BUCKS A YEAR THAT'S NOT IN THIS BUDGET. LET'S GET.

GET A TOTAL PICTURE OF JUST THE BASICS WHICH IS MAINTENANCE OF WHAT WE ALREADY HAVE, WHAT IS THAT ANNUAL OBLIGATION. AND THERE IS A PROPOSAL FOR A 9% COST INCREASE FOR CITY EMPLOYEES TO PAY FOR DEPENDENT COVERAGE. WHAT DOES THAT TRANSFER OUT TO IN ON COST FOR YOUR -- OUR EMPLOYEES, YOU KNOW, AND ALSO WHAT WOULD BE -- IF WE WERE TO HAVE THE GENERAL FUND PAY THAT COST, YOU KNOW, WHAT WOULD BE THE CRITERIA? BECAUSE I WOULD HATE TO SEE EMPLOYEES HAVING TO PAY MORE TO GET HEALTH INSURANCE FOR CHILDREN. IF WE ARE -- IF POSITION TO MAKE SURE EMPLOYEES DON'T HAVE TO PAY THAT COST TO HAVE THEIR KIDS INSURED.

THAT IS DEFINITELY WHAT YOU ARE TALKING ABOUT. WE HAVE HAD AN INCREASE EVERY YEAR LIKE EVERY ORGANIZATION IN HEIVEG.

McCracken: THIS IS NATIONAL STUFF.

WE PAY OVER 50% -- WE PAY 100% FOR OUR EMPLOYEES ON MEDICAL AND DENTAL AND DEPENDENT COVERAGE SPOUSE AND CHILDREN OVER 50%. IN THAT PORTION OF THE COVERAGE, WE SHARE IN THAT COST INCREASE AND THEY DO. EXCEPT FOR THIS LAST YEAR WHERE WE WERE ABLE TO HOLD IT FOR THE FIRST TIME EVER LEVEL, WE HAVE BEEN EXPERIENCING INCREASES BETWEEN 10 AND 15% EVERY YEAR. ON OUR SIDE AND ON THE EMPLOYEES' SIDE. KATHY, DO YOU HAVE ANY SENSE OF JUST SORT OF AN AVERAGE? IT'S GOING TO BE DIFFERENT FOR MOST EMPLOYEES, WHAT 9% WOULD LOOK LIKE FOR AN EMPLOYEE CARRYING DEPENDENT COVERAGE? OKAY. KATHY ROGERS, HUMAN RESOURCES DIRECTOR.

IT LOOKS LIKE CURRENT, LIKE AN EMPLOYEE AND FAMILY WOULD BE \$318 A MONTH. IT WOULD GO FROM 318 TO 346. THAT WOULD BE THE 9%. NOW, HOW MUCH IT WOULD COST AT 9%, HOW MANY DOLLARS THAT IS IF WE WANTED TO PICK THAT UP, I DON'T HAVE TAKE RIGHT HERE BUT I COULD EASILY GET THAT.

McCracken: FEW HAVE A KID, LIKE IF YOUR CHILDREN, WOULD..ITWOULD BE A MONTH?

IT WOULD BE 139 A MONTH NOW. AND WITH THE 9% 151.

McCracken: OKAY. THAT WOULD BE HELPFUL AS WE ASSESS, YOU KNOW, OUR RANGE OF RESPONSIBILITY IN THIS BUDGET AND HOW WE'RE GOING TO INVEST THE TAXPAYERS' DOLLARS. ONE OF THE THINGS THAT DOESN'T MAKE SENSE AND WE HAVE TO FIGURE WITH PLY ORTS WHAT WE CAN AFFORD TO PAY, BUT IT WOULD MAKE SENSE THAT, YOU KNOW, THAT WE NOT WIPE OUT POTENTIALLY PAY INCREASES WITH HEALTH INSURANCE INCREASES IF YOU ARE A FAMILY WITH TWO CHILDREN AND YOUR SPOUSE.

WE ACTUALLY RUN THAT EVERY YEAR. THE LAST COUPLE MONTHS I'VE SEEN, I'VE NEVER SEEN IT WHERE IT TOOK AWAY ALL OF SOMEONE'S RAISES AT ANY LEVEL IN THE ORGANIZATION, BUT IT DEFINITELY EATS INTO THE RAISE. I JUST -- THIS IS ANOTHER WAY JUST MAYBE TO REMIND EVERYBODY THOUGH, IF WE REALLY ARE WORRIED ABOUT WHAT'S HAPPENING TO COST OF OUR CURRENT HEALTH

INSURANCE WHICH WE ALL SHOULD BE BECAUSE SOME ORGANIZATIONS ARE EXPERIENCING UPWARDS OF 20% INCREASES, WE NEED TO BE VERY CAREFUL ABOUT ADDITIONAL COVERAGE WE'RE ADDING ON IT WHICH IS WHY I REALLY DO RECOMMEND THAT WE HOLD AT THE ADDITION OF DOMESTIC PARTNERS AND WATCH OUR CLAIM RESULTS FOR A YEAR BEFORE WE PUT MORE COVERAGE INTO A PLAN THAT ALL THAT WILL DO IS INCREASE COSTS FOR THE WHOLE PLAN.

McCracken: I BELIEVE I'M GETTING THIS RIGHT THAT THE PROPOSED BUDGET AT 39.85 CENTS DOES INCLUDE THE DOMESTIC PARTNER BENEFITS THAT 68% OF ALL AUSTIN VOTERS SAID THEY WANTED TO MAKE SURE WAS AVAILABLE.

YES.

McCracken: THAT WOULD START OCTOBER 1?

WE ARE DOING AN EARLY START ON THAT. NORMAL BENEFITS IS AROUND JANUARY.

YEAH, OUR BENEFITS, USUALLY THE OPEN ENROLLMENT IS IN OCTOBER-NOVEMBER TIME FRAME WITH IMPLEMENTATION OF CHANGES IN JANUARY. WE'RE GOING TO DO A SPECIAL OPEN ENROLLMENT FOR DOMESTIC PARTNERS IN OCTOBER.

McCracken: THE -- YOU KNOW, ONE OF THE THINGS THAT WE'VE BEEN LEARNING IN -- PARTICULARLY IN EMERGENT TECHNOLOGIES COA HOW KIT CAL IT'S GOING TO BE TO INVEST IN THE FUTURE. WE HEARD FOR PROBABLY THE 10th MONTH IN A ROW A PANEL OF EXPERTS FROM DIFFERENT TECHNOLOGY NEEDLE FIELDS STRONGLY RECOMMEND THE CITY INVEST VIGOROUSLY IN OUR ECONOMIC FUTURE IN EMERGING TECHNOLOGIES. THEY RECOMMEND THE STATE DO AS WELL. LAST YEAR WE HAD INVESTMENTS IN THE WIRELESS INCUBATOR, AUSTIN TECHNOLOGY INCUBATOR AND INVEST UNDERSTAND THE CLEAN ENERGY INCUBATOR. WHAT ARE OUR LEVELS OF INVESTMENTS IN THESE EMERGING TECHNOLOGY SECTIONS OF THE WIRELESSLESS

ACCELERATOR?

WE'LL HAVE TO GET THAT FOR YOU. WE'LL PUT AN INVENTORY TOGETHER FROM ALL THE DIFFERENT AREAS, PROBABLY GET PETE TO HELP US PUT THAT TOGETHER.

McCracken: THE -- I THINK WE SAW SOMETHING I'VE BEEN HEARING IS THE NUMBER 1 INTEREST IN THE COMMUNITY AFTER ROAD MAINTENANCE -- MAYBE THE TOP LEVEL OF CONCERN WAS THE -- THE -- HOW WELL OR HOW NOT WELL THE PARKS ARE MAINTAINED IN OUR FACILITIES. AND WE HAVE A PROPOSAL TO IN THIS BUDGET TO EXPAND OUR PARKS MAINTENANCE. CAN YOU GIVE US SOME ASSESSMENT, MAYBE THIS IS SOMETHING WARREN CAN TELL US WHEN WE ACTUALLY HAVE OUR PARKS PRESENTATION, BUT I WOULD LIKE SOME ASSESSMENT OF WHERE THAT GETS US COMPARED TO WHERE WE BELIEVE WE NEED TO BE.

WE'LL DO THAT.

McCracken: BECAUSE IF WE STILL HAVE, YOU KNOW, MOSQUITO INFESTED WATER, YOU KNOW, IN PARKS AND WE HAVE BATHROOMS THAT AREN'T MAINTAINED AND WE DON'T HAVE ENOUGH SECURITY AT OUR FACILITIES, THAT -- YOU KNOW, THAT'S SOMETHING WE NEED TO KNOW. WE NEED TO KNOW WHERE WE ARE GOING TO BE VERSUS WHERE WE BELIEVE WE NEED TO BE TO MEET OUR RESPONSIBILITIES TO THE COMMUNITY.

AND IT IS ONLY AN INCREMENTAL GAIN. WE'LL DO OUR BEST TO GIVE YOU A STANDARD, BUT 17 OF OUR CENTERS HAVE NO REGULAR MAINTENANCE OR CUSTODIAL SUPPORT. WHAT WE WILL BE FIXING IS 5 OF THOSE 17 IN THIS BUDGET. WE TOOK A CHUNK, ABOUT A THIRD.

McCracken: IN OTHER WORDS, THAT LEAVES 12 OF OUR PARKS AND RECREATIONAL CENTERS THAT EFFECTIVELY HAVE NO REGULARLY SCHEDULED MAINTENANCE WHICH MEANS, YOU KNOW, IF THE TOILET BREAKS OR THE SINK BREAKS, YOU DON'T HAVE SOMEONE ON SITE TO FIX THAT WHICH WE CONSIDER BEST PRACTICE.

RIGHT NOW WHAT WE'RE DOING IS ROVING AMONG THOSE FACILITIES.

McCracken: WHAT IS THE PERCENT IMPACT OF RISING FUEL COSTS ON OPERATING COSTS FOR IF BUDGET, GENERAL FUND AND ALSO ON HOW WE'RE MAKING VEHICLE SELECTIONS? BECAUSE I NOTICE, FOR INSTANCE, WE ARE PROJECTING TO BUY FIVE FIRE TRUCKS --

ACTUALLY FOUR PUMPERS, BUT FIVE AMBULANCES.

McCracken: YEAH. AND SO FAR ALL THESE VEHICLES, DO WE HAVE A STRATEGY -- IN THE SAME WAY THE AIRLINES ARE DEVELOPING STRATEGIES TO BUY MORE FUEL EFFICIENT AIRCRAFT, WHAT IS OUR STRATEGY FOR BUYING MORE FUEL EFFICIENT VEHICLES, PARTICULARLY HEAVY VEHICLES THAT ARE LARGE CONSUMERS OF FUEL?

COUNCILMEMBER, WHERE POSSIBLE WE ARE TRYING TO MOVE TO MORE FUEL EFFICIENT VEHICLES AND TO ALTERNATIVE FUEL VEHICLES. BUT AS WE SPOKE TO EARLIER TODAY IN OUR HEAVIER FLEET, YOU KNOW, WE DON'T HAVE ANY GOOD ALTERNATIVES FOR ALTERNATIVE FUELS U NOR FOR FUEL EFFICIENCY, ALTHOUGH WE'RE GOING TO LOOK AT, YOU KNOW, ANYTHING THAT COMES DOWN THE ROAD INCLUDING EVEN, FOR EXAMPLE, A HYBRID HEAVY VEHICLE, IF WE CAN, YOU KNOW, DO THAT. WE ARE CAUTIOUS ABOUT HOW WE MOVE INTO WHOLESALE REPLACEMENTS OF OUR FLEET JUST BECAUSE WE'RE NOT FAMILIAR WITH THE OPERATIONS AND MAINTENANCE, FOR EXAMPLE, THAT WOULD BE REQUIRED ON A HYBRID VEHICLE, A HEAVY VEHICLE VERSUS A DIESEL HEAVY VEHICLE. WE DO BUY AS MANY HYBRIDS AS WE CAN IN OUR LIGHT FLEET, BUT MOST OF OUR LIGHT-DUTY VEHICLES ARE EITHER PICKUP TRUCKS WHERE WE DO TRY TO GET AS FUEL EFFICIENT AS WE CAN, OR PATROL CARS WHERE WE DON'T HAVE ANY OPTION OTHER THAN TO BUY THOSE EITHER FORD OR CHEVROLET SEDANS THAT COME EQUIPPED AS THAT. BUT CERTAINLY TO THE EXTENT WE CAN DO THAT, WE LOOK AT FUEL EFFICIENCY AND WE LOOK AT THE USE OF ALTERNATIVE FUELS. WE HAVE A PROCESS THAT WHEN THE DEPARTMENTS COME FORWARD TO REPLACE A VEHICLE OR BUY ADDITIONAL VEHICLES, WE SCRUB THAT AS HARD AS

WE CAN TO MAKE SURE THAT THEY ARE NOT OVERSPECING THE VEHICLE AND GETTING A HEAVIER VEHICLE, FOR EXAMPLE, THAT THEY NEED, AND WE TYPICALLY MAKE A LOT OF CHANGES TO REQUESTS AS DEPARTMENTS PRESENT THEM TO US.

McCracken: I KNOW THAT, FOR INSTANCE, THE AIRLINES HAVE REALLY BEEN CLOBBERED BY WHAT WAS, LIKE, FOR INSTANCE 50% COST INCREASE IN FUEL LAST YEAR. WHAT -- WHAT HAS BEEN THE EXPERIENCE OF -- AND WE HAVE SOME DEPARTMENTS THAT OBVIOUSLY ARE GOING TO BE MUCH -- HAVE A MUCH HEAVIER FUEL USE, FIRE DEPARTMENT, E.M.S. IN PARTICULAR, POLICE DEPARTMENT. PERHAPS, YOU KNOW, SOME OF THE PUBLIC WORKS FUNCTIONS. WHAT HAS BEEN THE IMPACT ON THE BUDGET OF THESE RAPIDLY ESCALATING FUEL COSTS AS IT --

THEY ARE LOOKING FOR THE NUMBER THERE. WE HAVE MADE ADJUSTMENTS IN ALL THE DEPARTMENTS BASED ON FUEL PROJECTIONS AND ALSO BECAUSE CONSTRUCTION MATERIAL IS GOING UP ALMOST AS A RESULT OF FUEL COSTS REALLY. WE'VE ALSO MADE A SIGNIFICANT ADJUSTMENT TO EVEN OUR CONSTRUCTION CONTINGENCIES IN ALL OUR PROJECT. JOHN, YOU HAVE A NUMBER?

COUNCILMEMBER, WE'LL GET THE SPECIFIC NUMBERS TO YOU, BUT WE DID HAVE TO RAISE THE COST OF FUEL THAT WE'RE CHARGING TO THE DEPARTMENTS THIS YEAR, AND WE'VE -- YOU KNOW, WE'VE TAKEN A STRATEGY TO TRY TO RAISE IT NOT TOO HIGH. WE ARE ACTUALLY RUNNING A DEFICIT, SLIGHT DEFICIT THIS YEAR IN OUR FLEET SERVICES FUND, BUT WE TRIED TO RAISE IT SO NOT TO RECOVER THE ENTIRE DEFICIT IN ONE YEAR. SO IN A SENSE WE'RE SORT OF HOPING THAT FUEL PRICES DON'T CONTINUE TO GO UP. AND IF THEY DO, WE MAY HAVE TO ADDRESS THAT. BUT WE'LL GET YOU THE PRECISE INFORMATION.

McCracken: THE -- WE HAVE -- THERE'S A PROPOSAL TO INCREASE CIVILIAN STAFFING IN THE POLICE DEPARTMENT, AND I BELIEVE I KNOW WHAT THIS IS FOR, BUT I DON'T RECALL HEARING SPECIFICALLY. WHAT IS THE PROPOSAL FOR THE CIVILIAN STAFFING INCREASE IN THE POLICE

DEPARTMENT?

NINE AND A HALF POSITIONS. IT'S LOADED IN TWO PRIMARY AREAS. OUR CRIME LAB AREA, FINGERPRINTING, D.N.A., IT'S INCREASING THEIR REQUESTS ARE GOING UP 108% SINCE LAST YEAR. THE REMAINING POSITIONS ARE WITH ONE EXCEPTION WHICH I'LL ADDRESS AT THE END ARE GOING INTO CRIME TECHS. DURING THE DOWNTURN WHEN WE CONTINUED TO INCREASE SWORN STAFF, WE DID CUT CIVILIAN STAFF IN THE POLICE DEPARTMENT, AND WHAT THE PRACTICAL EFFECT OF THAT ALTHOUGH IT ALLOWED US TO BALANCE THE BUDGET AT THE TIME SHE IT'S ONE OF THOSE SHORT-TERM GAINS BUT LONG-TERM POOR DECISIONS WHICH IS WHY WE'RE TRYING TO GET BACK TO ADDING THOSE POSITIONS BACK IN. IT TAKES PATROL OFFICERS OFF THE STREET. INSTEAD OF PATROL THEY ARE DOING THINGS CIVILIAN CRIME TECHS WERE DOING. IT'S ABOUT 600 ADDITIONAL PATROL HOURS WE THINK WE CAN ADD BACK TO STREET. ABOUT HALF ARE CRIME TECH, THE OTHER HALF ARE WORKING IN THE D.N.A., FINGERPRINTING AREA WHERE THE INCREASES ARE SO EXTRAORDINARY. THERE WAS ONE AREA IN JUVENILE SERVICES BY ADDING A HALF POSITION, TAKING TWO PART TIME AND TURNING THEM INTO FULL TIME WE CAN ADDRESS A STRONG WORKLOAD IN OUR JUVENILE UNIT.

McCracken: AS I NID, AND BY THE WAY THIS PROPOSAL FOR THESE CRIME LAB AND CRIME TECH POSITIONS, THAT'S NOT IN THE PROPOSED BUDGET. THAT'S ONE OF THE THINGS THAT COULD BE ADDED TO THE BUDGET IF WE, YOU KNOW, DON'T CUT THE TAX RATE ALL THE WAY DOWN TO THE EFFECTIVE BUT CUT IT SOMETHING TO LESS THAN THAT.

THAT'S RIGHT. IT IS NOT FUNDED BUT WE WANTED TO HIGHLIGHT IT FOR YOU BECAUSE WE BELIEVE IT IS ONE OF THE TOP UNFUNDED PRIORITIES OUT THERE.

McCracken: I'LL TELL YOU FROM JUST MY ANECTDOTAL EXPERIENCE, MY WIFE AS A PROSECUTOR CAN TELL YOU THIS IS A SEVERE NEED IN THE COMMUNITY. ANYONE WHO WATCHES CSI KNOWS WHAT WE'RE TALKING ABOUT. THE FACT IS THAT WE DON'T HAVE THE CAPACITY IN THE CITY OF AUSTIN, A CITY THAT CONTINUES TO GROW 50,000 PEOPLE

EVERY FIVE YEARS, WE DON'T HAVE THE CAPACITY TO MEET THE RESPONSIBILITIES TO KEEP THE PUBLIC SAFE THROUGH CRIME SCENE INVESTIGATIONS AND TECHNICIANS AND THE CRIME LABS. IT JUST STRIKES ME, YOU KNOW, AS WE TRY TO ASSESS THE RANGE OF RESPONSIBILITIES, THIS THING WHICH ISN'T IN THE BUDGET IS REAL, REAL IMPORTANT AND IT'S GOING TO NEED TO BE IN THE BUDGET. FINALLY, MY LAST AREA OF QUESTIONS IS ON THE -- IT APPEARS THAT WE DO NOT HAVE A PROPOSAL TO EXPAND OUR INVESTMENT IN AFTER-SCHOOL PROGRAMS OR EXPAND OUR INVESTMENT IN JOB TRAINING FOR FOLKS WHO WANT TO WORK HARD TO HAVE A BETTER FUTURE. THIS WAS SOMETHING THAT LAST YEAR WE DID EXPAND OUR INVESTMENTS IN AFTER-SCHOOL PROGRAMS AND JOB TRAINING FOR PEOPLE WHO DO WANT TO WORK THOORD HAVE A BETTER FUTURE. DO WE HAVE A NEEDS ASSESSMENT ON AFTER-SCHOOL PROGRAMS FOR JOB TRAINING WE COULD USE AS A BENCH MARK TO DETERMINE WHAT WE NEED TO BE DOING?

DAVID, WOULD YOU JUST WORK OFF OF THE C.A.N. ASSESSMENT? AND WE CAN GET YOU SOMETHING THERE. YOU ARE RIGHT, WHAT WE HAVE DONE THIS YEAR IS WE'VE HELD IT CONSTANT. SO REMEMBER, WE'RE COMING OFF CUTTING THOSE PROGRAMS. THEY ARE HELD CONSTANT IN THIS BUDGET. WE DO INCLUDE IN THE UNFUNDED PRIORITIES THE INCREASE TO ALL THE SOCIAL SERVICE PROVIDERS, ALL WHO WORK IN THE AREAS YOU ARE TALKING ABOUT. WE CAN GET YOU A STATE OF THOSE TWO THINGS.

McCracken: BECAUSE I KNOW LAST YEAR, FOR INSTANCE, OUR INVESTMENTS IN AFTER-SCHOOL PROGRAMS WERE NOT PART OF THE COMMUNITY ACTION NETWORK. IT WAS DONE THROUGH OPENING AFTER-SCHOOL COMPUTER CENTERS AND, YOU KNOW, IN NEIGHBORHOODS WHERE THERE'S MORE KIDS WHO DON'T HAVE COMPUTERS IN THEIR HOMES AND IT'S GOING TO BE AT THEIR PARKS DEPARTMENT AND MAKING SURE THE KIDS HAVE A SAFE PLACE TO BE DURING THE SUMMER WHEN THEY ARE NOT IN SCHOOL.

THE SUMMER PLAYGROUND PROGRAM THAT WE ADDED

SIETSD BACK TO LAST YEAR IN THE BUDGET.

AND WE ALSO HAD THE -- WHEN THE FEDERAL GOVERNMENT TURNED ITS BACK ON THE AT-RISK YOUTH INVESTMENTS, WE STEPPED FORWARD TO CLOSE PART OF THAT GAP. AND IT'S CALLED THE [INAUDIBLE] CHILD RESCUE. THIS IS FOR OUR GENERATION INVESTING IN A BETTER FUTURE FOR US AND IF WE HAVE A CHOICE BETWEEN NOT HAVING A SAFE PLACE FOR KIDS TO GO AFTER SCHOOL AND IN THE SUMMER TO HAVE COMPUTER ACCESS AND HOMEWORK, ABILITY TO DO HOMEWORK IN A SAFE PLACE, THEN WE'RE -- WE ARE FAILING TO MEET OUR RESPONSIBILITY TO YOUNG PEOPLE. WE'VE SEEN WHILE OUR TAX REVENUES ARE GOING UP, RIGHT NOW WHAT IS HAPPENING IS THAT WE'VE SEEN IS THAT A VASTLY DISPRO...DISPROPORTIONATE AMOUNT OF THE ECONOMIC BENEFITS HAVE BEEN CONCENTRATED IN UPPER LEVELS SO THAT WHAT YOU ARE SEEING IS AS FOLKS LOSE JOBS, IF WE DON'T HAVE JOB TRAINING TO HELP GIVE THEM A BETTER FUTURE, THERE'S NOTHING IN PLACE TO MAKE THAT HAPPEN, THEN THEY ARE GOING TO LOSE THAT OPPORTUNITY. SO I THINK THAT'S PART OF OUR COMMUNITY'S RESPONSIBILITY TO EACH OTHER. IT WOULD BE HELPFUL TO HAVE SOME ASSESSMENT OF WHERE WE HAVE OUR NEEDS ASSESSMENT, WHERE IT IS IN THE BUDGETED. YOU ALL HAVE DONE A GREAT JOB. WE HAVE A LOT OF UNMET MEAT AND POTATOES BASIC RESPONSIBILITIES THAT ARE NOT IN THIS BUDGET THAT'S PROPOSED, AND SO, YOU KNOW, THINGS LIKE ROAD MAINTENANCE, SIDEWALK MAINTENANCE, KEEPING KIDS SAFE AFTER SCHOOL AND ADDING CRIME SCENE INVESTIGATORS. ANYWAY, THANK YOU VERY MUCH.

Mayor Wynn: COUNCILMEMBER LEFFINGWELL.

Leffingwell: I'LL BE QUICK, BUT I THINK WHAT I'LL DO IS SUBMIT BOTH OF MY QUESTIONS IN WRITING. AND UNDERSTAND THESE WILL BE POSTED ON THE WEB?

YES. NOT ONLY WILL WE SEND THEM OUT TO EACH OF YOU WHEN YOU -- ALMOST SEND A JOKE THERE, BUT WE WILL ALSO PUT ALL THE QUESTIONS UP ON A CONTINUING LIST ON THE WEB.

Leffingwell: OKAY. I JUST WANT TO HIGHLIGHT A COUPLE OF THINGS. FIRST OF ALL, AT THE AUGUST 10th MEETING WHERE WE DISCUSS THE MAXIMUM RATE THAT WE WILL CONSIDER, I WILL IN EXECUTIVE SESSION BE POSTED FOR THAT PRIOR TO OPEN CONSIDERATION AND OPEN MEETING?

WE COULD --

Leffingwell: WE DID THAT LAST YEAR.

ABOUT THE LAW ON THAT. DAVID, DO YOU WANT TO WEIGH IN?

ABSOLUTELY, COUNCILMEMBER, UNDER OUR NORMAL POSTINGS WE HAVE A GENERAL LANGUAGE POSTING THAT ALLOWS COUNCIL TO GO INTO EXECUTIVE SESSION TO RECEIVE LEGAL ADVICE ON ANY ITEM ON THE AGENDA. BUT IF IT IS THE DESIRE, WE CAN SPECIFICALLY POST AN EXECUTIVE SESSION TO DISCUSS LEGAL ISSUES RELATED TO ANNOUNCING THAT MAXIMUM POSSIBLE TAX RATE.

Leffingwell: RIGHT. MAXIMUM TAX RATE TO BE CONSIDERED. AND I WOULD REQUEST THAT BECAUSE THERE ARE LEGAL ISSUES THAT WE NEED TO GO OVER SUCH AS REQUIRED POSTING LANGUAGE, ET CETERA.

YES.

Leffingwell: OKAY, SO THERE'S THAT, AND THEN I WANT TO JUST ASK A COUPLE OF QUESTIONS ABOUT E.M.S. NOT TO SINGLE THEM OUT, BUT AS I UNDERSTAND IT, WHAT WE'RE PROPOSING NOW IS A \$38.1 MILLION BUDGET FOR E.M.S. THAT'S FROM THE CITY, FROM THE CITY OF AUSTIN?

I DON'T HAVE THE SLIDE IN FRONT OF ME, BUT I BELIEVE THAT'S CORRECT.

Leffingwell: THE NUMBER IS RIGHT. THAT'S ALSO ADDED TO BY THE COUNTY THROUGH THE INTERLOCAL AGREEMENT. AND THEN YOU SUGGESTED ANOTHER.9 MILLION WHICH WOULD BE REALIZED THROUGH INCREASED PROPERTY TAXES THAT ARE NOT REFLECTED IN YOUR NUMBERS HERE.

YES. THAT WE ALREADY HAVE GAINED. IN OTHER WORDS, THAT MONEY IS ON THE TABLE. SO WITHOUT THE 935,000, YOU WOULD HAVE DONE ABOUT AN 8.5% INCREASE TO THE E.M.S. BUDGET.

Leffingwell: RIGHT. SO WE'RE ALREADY AT 39 MILLION, AND YOUR STRATEGIC ADD SECTION HAS ANOTHER 1 MILLION, 1.02 MILLION.

WHICH CAN BE COVERED.

Leffingwell: SO MY QUESTION IS ARE THESE ADD-ONS? I KNOW WE'VE HEARD SOME DISCUSSION IN THE LAST YEAR OVER-THAT E.M.S. DID NOT MEET REQUIRED STANDARDS ON RESPONSE TIMES. DOES THIS ADDRESS THAT NEED OR -- AND WE DON'T HAVE TO ANSWER THAT RIGHT NOW. I WOULD JUST LIKE TO --

YES, IT IS DELIBERATELY DESIGNED TO ADDRESS. THAT NOW, THERE'S OBVIOUSLY DIFFERENCE OF OPINION ABOUT HOW MUCH MORE NEEDS TO BE ADDED. WE FOUND WHEN WE DID INDIVIDUAL RESPONSE TIMES OVER YOUR GOAL RESPONSE TIME AND LADDER THE FIRST RESPONDERS ON TOP OF THAT, WE FOUND THREE HOT SPOTS. AREAS OF TOWN. TWO OF THOSE HAVE NEW STATIONS OPENING UP, AND THE PEAK LOAD UNIT IS DESIGNED TO HELP WITH THE THIRD. NOW, BECAUSE YOU GOT THE EXTRA 935,000, ONE ADDITIONAL PEAK LOAD UNIT WOULD NOT BE A BAD THING. AND SO ADDING THAT ALSO INTO THE LIST OF STRATEGIC ADDS MIGHT BE SOMETHING TO ALSO CONSIDER.

Leffingwell: SO A PEAK LOAD UNIT IS ABOUT HALF A MILLION, ROUGHLY?

YES. FOR ONGOING COSTS. IT WILL COST YOU -- AND I'M JUST ROUNDING NUMBERS, IT WILL COST ABOUT 300,000 FOR THE AMBULANCE AND ABOUT 500,000 FOR THE STAFFING.

Leffingwell: OKAY. THAT'S SOMETHING WE CAN LOOK AT FURTHER. AND THEN A QUESTION ON NEIGHBORHOOD PLANNING AND ZONING. PROBABLY ONE OF THE BIGGEST CITIZEN COMPLAINTS THAT WE HEAR IN OUR OFFICES HAVE

TO DO WITH THE SPEED AND EFFICIENCY OF THE NEIGHBORHOOD PLANNING PROCESS. AND I NOTICE THAT WE'RE ADDING ONE F.T.E. FOR TRANSPORTATION PLANNING ONLY. AND WHAT WE'VE SEEN HERE IS THAT THROUGH THE NEIGHBORHOOD -- ESTABLISHMENT OF THE NEIGHBORHOOD PLANNING PROCESS WHICH WAS ENVISIONED TO BE DONE SOME TIME, A IN FACT, THE ZONING AND PLATTING COMMISSION WAS SUNSET LAST YEAR, ENVISIONING THEY WOULDN'T HAVE ANYTHING MORE TO DO, THEY COULD GO OUT OF BUSINESS AND WE HAD TO OF COURSE RENEW THAT, SO THIS PROCESS IS STILL ONGOING, I JUST -- I WANT TO BE ASKING SOME QUESTIONS ABOUT THE POSSIBILITY ARE WE ADEQUATELY STAFFING THE DEPARTMENT TO DEAL WITH NEIGHBORHOOD PLANNING PROCESS.

YOU WILL SEE A PACKAGE IN YOUR UNFUNDED STRATEGIC ADDS THAT ADDS FIVE POSITIONS TO DO JUST THAT FOR THAT VERY REASON.

Leffingwell: THANKS, AND I'LL RESERVE THE REST OF MY QUESTIONS TO BE SUBMITTED IN WRITING.

Mayor Wynn: COUNCILMEMBER KIM. [ONE MOMENT, PLEASE, FOR CHANGE IN CAPTIONERS]

AFFECTS OF COURSE THE FLOW, I WOULD BE SPAWSHTIVE OF THAT ADD BACK. AND --

YOU ARE ABSOLUTELY RIGHT ABOUT STREET RECONSTRUCTION, THE YEAR THAT WE WERE DOING MOST OF OUR STREET RECONSTRUCTION, THAT NUMBER WAS THE LOWEST, VERY DEFINITELY DISRUPT ACTIVE, PEOPLE FEEL IT.

OKAY. DISRUPTIVE.

TALK, FIND OUT ABOUT THE BUDGET. IT MAY BE THE NUMBER OF DEPARTMENTS, BUT CAN YOU TELL US WHAT IS THE BUDGET FOR POLICE OVERTIME FROM LAST YEAR TO -- TO THIS YEAR.

WHILE YOU ARE GETTING THAT, THE ONE MILLION DOLLAR I THINK THAT YOU ARE LOOKING AT IS ACTUALLY A NUMBER,

THE PROJECTION THAT THE DEPARTMENT GAVE US THAT INVOLVED A STEP IN LONGEVITY NUMBER. THEY HAVE TO PROJECT OUT DEPENDING ON WHO THEY THINK IS GOING TO RETIRE. HOW PEOPLE ARE GOING TO MOVE AND THAT NUMBER WAS SCRUBBED GETTING US TO THAT ONE MILLION, THAT ONE MILLION IS A REDUCTION IN STEP IN LONGEVITY TO GET TO THE ACTUAL ANTICIPATED STEP IN LONGEVITY. ON OVERTIME DO YOU HAVE THE NUMBERS THERE?

OVERTIME WE HAVE INCREASED OVERTIME BUDGETED BY 2.1 MILLION, BRINGING IT UP [INDISCERNIBLE] BASICALLY IN AN EFFORT TO TRUE UP WHAT WE HAD BUDGETED FOR OVERTIME TO MATCH UP WITH OUR ACTUAL COST EXPERIENCE. IN PRIOR YEARS THE DEPARTMENT HAD OBTAINED SAVINGS ELSEWHERE IN THE DEPARTMENT, HELPING TO ABSORB SOME OF THE OVERTIME COSTS, SO FOR THIS YEAR'S BUDGET AGAIN WE WANTED TO TRUE THAT UP, SO WE HAD A GOOD COMPARISON GOING FORWARD. YOU ARE CORRECT IN THAT THE BUDGETED NUMBER IS NOT WHAT THEY HAVE ACTUALLY BE SPENDING. THEY HAVE ALWAYS STAYED WITHIN THEIR BUDGET, FOUND THE DOLLARS WITHIN THEIR BUDGET, BUT ACTUALLY INCREASED THE BUDGETED AMOUNT SIGNIFICANTLY THIS YEAR, IN ORDER TO TRY TO GET TO A REAL BUDGET, NOT A VIRTUAL BUDGET ON OVERTIME.

ALL RIGHT. WELL, I THINK THAT -- THAT THERE'S BEEN DISCUSSION ABOUT POLICE OVERTIME, I THINK ONE POINT THAT'S BEEN OVERLOOKED IS THE REASON WHY WE HAVE SO MUCH OVERTIME TO MAINTAIN STAFFING AT 80%, WE ARE HAVING TO PULL OFFICERS FROM OFF THE REGULAR SHIFTS AND WE DON'T HAVE ENOUGH OFFICERS BECAUSE OF ALL OF THESE VACANCIES THAT WE HAVE TO FILL, GIVEN THE RETIREMENTS WHICH THE CITY MANAGER MENTIONED, WE ARE GOING TO HAVE I THINK ABOUT 70 OTHER POSITIONS THAT WILL NOT BE STAFF, I KNOW THAT WE HAVE A 2.0 OFFICERS PER ONE THOUSAND DOLLARS STANDARD. BUT I WOULD LIKE TO TAKE SOME TIME TO RELOOK AT -- TO LOOK AT THAT AGAIN AND TAKE ANOTHER LOOK AND TALK ABOUT THINGS THAT REALLY MATTER TO -- TO CITIZENS IN OUR CITY, WHICH IS REALLY PATROL OFFICERS, RESPONSE TIME, CUSTOMER SERVICE, AND TALK ABOUT MEASURES THAT

REALLY MATTER TO SOMEONE IF THEY ARE IN AN ACCIDENT, THEY HAVE A THEFT OR A ROBBERY, THOSE ARE THINGS THAT REALLY MATTER. SEEMS TO ME MORE OF AN ARBITRARY NUMBER, I WOULD LIKE FOR US TO HAVE WHAT LEVEL OF SERVICE PROVIDED TO OUR CITY RATHER THAN JUST HAVING A 2.0 OFFICERS.

Futrell: I THINK YOU HAVE ASKED ALREADY QUESTIONS ON RESPONSE TIME, WE ARE WORKING ON THAT NOW, INCLUDING MAPPING OF THAT RESPONSE TIME FOR YOU.

THANK YOU, ONE OF THE PROGRAMS THAT'S MENTIONED HERE I THINK IS A GOOD PROGRAM THAT WE ARE STARTING IS FOR AISD, TO HAVE A CAREER TRACK FOR FIREFIGHTERS AND I'M REALLY EXCITED TO SEE THAT, WE ARE ENCOURAGING KIDS IN HIGH SCHOOL TO THINK ABOUT THE FIRE DEPARTMENT AS CAREER CHOICE FOR THEM. ALSO LOOKING AT TALKING TO AISD FOR DOING THAT FOR OUR POLICE DEPARTMENT AS WELL. ANOTHER ITEM HERE TO DO WITH THE LIBRARY, FIVE ADDITIONAL F.T.E.'S. WHEN I LOOKED AT THE LIBRARY, TOOK A TOUR OF IT. I NOTICED A LOT OF THE SPACE HAD BEEN TAKEN AWAY FOR BOOKS TO DEDICATE TO STAFF. AS THEY INCREASE THEIR STAFF, THEY ARE TAKING AWAY SHELF SPACE, IT DECREASES THE SIZE OF THE COLLECTION THAT IS AVAILABLE FOR THE PUBLIC TO ACCESS READILY. SO BEFORE WE ADD THESE UP TO USE I WOULD LIKE SOME SORT OF ANSWER AS TO WHAT WE ARE GOING TO DO, WHAT WE ARE GOING TO PUT THOSE EMPLOYEES IF THEY ARE GOING TO BE ADDED TO THE LIBRARIES BUDGET.

Futrell: WE WILL GET THAT FOR YOU.

Kim: JUST A CURSORY REVIEW OF THE STRATEGIC ADDS UNFUNDED, IT IS ONES THAT -- THE ONES THAT I DO SUPPORT SOCIAL SERVICE, SECOND DAY LABOR SITE, ANIMAL CONTROL, THE 150,000 FOR THAT, THE BILINGUAL PAY, AUDITOR'S ASK Q FOR ONE F.T.E., [INDISCERNIBLE], STREET MAINTENANCE FOR TWO MILLION. I WOULD ALSO LIKE TO LOOK AT THE POSSIBILITY OF HAVING A SMALL BUSINESS OMBUDSMAN WHO CAN DEAL MORE WITH THE KIND OF CONSTITUENT SERVICES REPRESENTATIVE TO REACH OUT TO SMALL BUSINESSES. AND THE OTHERS I

WOULD LIKE MORE INFORMATION ON BEFORE I MAKE A DECISION IF THOSE SHOULD BE ADDED BACK TO THE BUDGET. THANKS.

Futrell: THANKS, COUNCILMEMBER.

Mayor Wynn: COUNCILMEMBER MARTINEZ?

Martinez: GOING BACK TO THE POLICE OVERTIME, YOU SAID YOU INCREASED THE BUDGETED AMOUNT THIS YEAR TO 7 POINT --

7.1 MILLION.

WHAT WAS THE ACTUAL EXPENDITURE FOR OVERTIME LAST YEAR.

I BELIEVE IT WAS 9.6 MILLION FOR OVERTIME. SO -- COUNCILMEMBER, I BELIEVE THAT'S THE NUMBER. BUT WE WILL GET THAT -- SO FOR '05 ACTUAL OVERTIME WAS 7.7 MILLION. WE ARE ESTIMATING 9.5 MILLION THIS YEAR. I KNOW ALSO THE DEPARTMENT IS LOOKING AT NEXT YEAR TRYING TO -- TO LOOK AT HOW THEY -- HOW THEY STAFF FOR OVERTIME AND THE WAY WE GOT TO THAT 7.1 MILLION WAS ACTUALLY ADDING ADDITIONAL RESOURCES INTO THE BUDGET AS WELL AS LOOKING AT THEIR VACANCY SAVINGS.

HOW DO WE EXPECT TO SAVE SEVERAL MILLION DOLLARS NEXT YEAR AND STILL MAINTAIN OUR STAFFING LEVELS?

Futrell: BECAUSE WHAT WE FOUND WHEN WE LOOKED AT TRENDS OVER THE LAST SEVERAL YEARS, FOR THE FIRST THING WE FOUND WHEN WE WENT IN, THEY WERE DOING, TWO SEPARATE WAYS THAT THEY WERE ADMINISTERING OVER TIME FOR THAT CONSTANT LEVEL STAFFING. ONE OF THOSE CHANGES WILL REDUCE THE AMOUNT OF OVERTIME THAT THEY ARE USING. IT'S ABOUT MANAGING THE BUDGET COUNCILMEMBER. THE INCREASE IN OVERTIME HAS BEEN PHENOMENAL. THE VACANCY RATE, SOMETHING WE WILL GIVE YOU IN THIS ANALYSIS, IT'S NOT MATCHING UP WITH THAT. YOU HAVE MADE A POLICY CHOICE TO HAVE A CONSTANT LEVEL STAFFING, WE ALL HAVE, DONE ADMINISTRATIVELY ACTUALLY THROUGH THE POLICE CHIEF

TO HAVE A CONSTANT LEVEL STAFFING POLICY, THAT'S A POLICY THAT'S NOT IN PLACE IN ANY OTHER MAJOR TEXAS POLICE DEPARTMENT WE CAN FIND. WE ALSO CHECKED VACANCY RATES, WE ARE NOT IN THE HIGH, WE ARE ON THE LOW END OF MIDDLE. WE WILL GET YOU THOSE NUMBERS. WE TESTED THOSE THESE OR FOUR PLACES IN TIME DURING THE YEAR FOR ALL OF THOSE DEPARTMENTS TO CAPTURE GRADUATIONS, IT WOULDN'T BE A FAKE RESULT OF A CLASS HAVING JUST GRADUATED. WHEN ON WITH R WE MAKE A DECISION TO SAY WE ARE GOING TO BACKFILL, THERE'S A COST TO THAT. WE THINK THAT'S TRUER TO ABOUT 7 SOMETHING MILLION DOLLARS THAN THIS LAST YEAR WHICH WAS AN ANOMALY YEAR WE ARE LOOKING AT ISSUES THAT COULD HAVE CAUSED THAT. HOW WE STAFFED FOR MAJOR EVENTS, THIS POLICY ISSUE WHERE THEY WERE ISMMENTING IT DIFFERENTLY FROM DISTRICT TO DISTRICT, BUT THE FACT IS THAT WE HAVE NEVER HELD THEM ARBITRARILY TO THE BUDGET NUMBER. IF THERE'S A NEED FOR THE OVERTIME, THEY HAVE GOTTEN THE OVERTIME. ALL THAT WE ARE TRYING TO DO IS GET THEM TO TRUE UP AN ACTUAL OVERTIME NUMBER.

Martinez: I WILL SAVE FURTHER QUESTIONS AND COMMENTS UNTIL I GET MY VOICE BACK.

Futrell: THAT WAS A LITTLE UNFAIR [LAUGHTER]

Mayor Wynn: FURTHER QUESTIONS, COMMENTS, COUNCILMEMBER COLE?

Cole: OKAY. I WANT TO MAKE SURE I'M ABSOLUTELY RIGHT ON PAGE 50 THE UNFUNDED STRATEGIC ADDS CANNOT BE MET UNLESS WE ADOPT A TAX RATE IN EXCESS OF THE EFFECTIVE TAX RATE AND PRETTY CLOSE TO THE ROLL BACK RATE; IS THAT CORRECT?

Futrell: LET'S BE CAREFUL ABOUT THAT ANSWER. YOU CAN ALWAYS MAKE CHOICES ABOUT WHAT IS IN YOUR EXISTING BUDGET, YOU CAN SAY YOU DON'T WANT THIS AND YOU WANT THAT. BUT HAVING GONE THROUGH FOUR YEARS OF CUTBACKS AND HAVING CUT OUR GENERAL FUND ALMOST 25% AND A LITTLE UNDER -- CLOSER TO THAT 900 POSITIONS, WE ARE STARTING FROM A PRETTY LEAN PLACE.

AND YOU HAVE A LOT OF UNMET NEEDS OUT THERE, BUT THE REASON THAT IT'S NOT EXACTLY ACCURATE QUESTION IS BECAUSE YOU CAN ALWAYS MAKE A CHOICE TO SAY I DON'T WANT TO KEEP DOING X OR I WANT TO TAKE THIS OUT TO PUT THIS IN. BUT IF YOU BELIEVE THAT THE BUDGET BASICALLY IS LEAN AND BARE AND THE COST DRIVERS, THOSE ARE POLICY DECISIONS ON THE COST DRIVERS LIKE 2.0 PER THOUSAND AND ENHANCED TASK FORCE STAFFING, REMAIN IN PLACE, THEN THERE ARE TWO LISTS OF ADDS. A LIST WE HAVE ALREADY INCLUDED, OF 6.1, AND A LIST WE HAVE LEFT OUT, OF ABOUT 7-POINT SOMETHING MILLION. AND IF -- SO IT'S ABOUT YOUR PRIORITIES MATCHING UP WITH WHAT YOU SEE IN THE BUDGET.

Cole: I UNDERSTAND. I WANT TO MAKE SURE THAT WE TAKE INTO CONSIDERATION COST DRIVERS AND WHAT WE DECIDE AS A POLICY DECISION NOT TO INCLUDE, THAT LEADS TO MY NEXT QUESTION THAT I HAVE FOR YOU, ON PAGE 7, WHEN YOU TALK ABOUT THE PROPERTY TAX INCREASE RESULTING IN AN ADDITIONAL \$935,000, AND YOU SUGGEST THAT THAT NUMBER SHOULD BE FUNDED, USED TO FUND THE EMERGENCY MEDICAL SERVICES STRATEGIC ADDS, DOES THAT MEAN THAT THAT NUMBER IS NOT INCLUDED IN THE PUBLIC SAFETY NUMBER OF UNFUNDED ON PAGE 50.

Futrell: THAT'S RIGHT. IT'S ADDITIVE TO EVERYTHING IN THE PRESENTATION BECAUSE WE JUST GOT IT. AND THAT IS A FUNCTION OF A NEW GROWTH. WHICH IS WHY YOU CAN STAY WITH THE EFFECTIVE TAX RATE.

Cole: ONE LAST QUESTION, THIS MAY GO TO JOHN. SINCE WE'VE HAD SOME DISCUSSION ABOUT ROAD MAINTENANCE AND MORE IMPORTANTLY BECAUSE WE'VE SEEN THE CITIZENS SURVEY THAT ROAD MAINTENANCE AND GROWTH MANAGEMENT IS NUMBER ONE AND TWO ON EVERYONE'S MIND, I WOULD LIKE TO SEE AN ANALYSIS OF WHAT WE COULD DO FOR INCREASED ROAD MAINTENANCE AND CONDITIONS WITHIN THE DESIRED DEVELOPMENT ZONE AS - - AS, YOU KNOW, DEFINED BY ENVISION CENTRAL TEXAS AND THE CITY. AND WHAT THAT NUMBER WOULD BE AND I KNOW COUNCILMEMBER KIM MENTIONED TO ME AND COUNCILMEMBER BREWSTER MCCracken MENTIONED, BUT I WOULD LIKE TO SPECIFICALLY KNOW THE NUMBER THAT

WE ARE EMPHASIZING THE GROWTH, WHAT THAT NUMBER WOULD BE WE CONSIDER UNFUNDED.

Futrell: WE CAN CARVE THAT OUT FOR YOU. JUST TO CONSIDER ON ROAD MAINTENANCE, THIS IS THE FIRST YEAR THAT WE HAVE NOT INCLUDED IN YOUR BUDGET MONEY FROM BASICALLY THE BUILD GREATER AUSTIN OR BUILD CENTRAL AUSTIN FUNDS FROM CAPITAL METRO. THAT IS ONE OF THE REASONS THAT WE ARE STICKING AT 8 AND NOT ABLE TO GO ABOVE. FOR YEARS, IN FACT 12, 13 YEARS, WE HAVE RECEIVED, THIS IS NOT THE QUARTER CENT MONEY, THIS IS MONEY THAT WAS BASED ON BASICALLY THE WEAR AND TEAR OF OUR STREETS BECAUSE OF BUSES. SO THAT IS ANOTHER PLACE WE MIGHT THINK ABOUT OR CONSIDER AS WE MOVE ABOUT THIS BUDGET PROCESS WHETHER OR NOT WE SHOULD OR COULD BE ABLE TO INCLUDE SOME CAPITAL METRO FUNDS FOR STREET MAINTENANCE. THANK YOU.

Mayor Wynn: FURTHER COMMENTS, QUESTIONS, COUNCILMEMBER MCCRACKEN.

McCracken: I BELIEVE WE AS A BODY HAVE ASKED FOR QUITE A BIT OF INFORMATION THAT WE ARE GOING TO NEED BEFORE WE HAVE ANY CLUE WHAT LEVEL OF FUNDING WE WILL NEED TO MEET OUR RESPONSIBILITIES, BASIC QUESTIONS ABOUT OVERTIME BUDGET, ALSO ABOUT FILLING POTHOLES, KEEPING KIDS SAFE AND IN AFTER SCHOOL PROGRAMS AND JUST WE HAVE A LOT OF INFORMATION TO ASSEMBLE, I THINK ONE OF THE IMPORTANT FUNCTIONS THAT WE ARE GOING TO HAVE OVER THE NEXT SIX WEEKS OR SO IS -- IS ASSEMBLING THIS INFORMATION TO FIGURE OUT WHAT RESPONSIBILITIES WE HAVE TO THE COMMUNITY, THEN WE FIGURE OUT YOU KNOW WHAT -- WITHIN THAT -- WE TALKED ABOUT HOW THE - - WE HAVE TWO DOLLARS A MONTH IN WIGGLE ROOM. THAT'S WHAT WE ARE TALKING ABOUT THERE, \$2 A MONTH IN THE UPPER AND LOWER RANGES, A TON OF RESPONSIBILITIES THAT WE HAVE SEEN HERE TODAY THAT ARE REAL BASIC STUFF LIKE POTHOLES, AFTER SCHOOL PROGRAMS, OVERTIME COSTS, THINGS LIKE THAT. I THINK WE NEED TO GET THAT INFORMATION BEFORE WE HAVE ANY CLUE ABOUT -- ABOUT WHAT WE WOULD NEED AS A -- IN

THAT \$2 A MONTH RANGE TO GET THE RIGHT PLACE. ALSO I WANT TO COMMEND COUNCILMEMBER KIM, I THINK SHE HAS AN EXCELLENT IDEA ABOUT TAKING AN OBJECTIVE LOOK ABOUT WHAT BENCHMARKS WE WANT TO LOOK AT IN OUR PUBLIC SAFETY COSTS ABOUT, YOU KNOW, DO WE WANT TO LOOK AT 2.0 OFFICERS PER MONTH, IS THAT THE RIGHT POLICY? DO WE HAVE THE RIGHT POLICIES AND OVERTIME. THIS IS SOMETHING THAT SOME OTHER OF US HAVE ALSO DISCUSSED IN THE COUNCIL. THAT IS AS WE PREPARE FOR THE PUBLIC COMBINED PUBLIC SAFETY NEGOTIATIONS IN TWO YEARS, KNOWING THAT WE SPEND A HIGHER PERCENTAGE OF OUR BUDGET ON PUBLIC SAFETY THAN ANY BIG CITY IN THE STATE BY FAR, WE GET GREAT SERVICE FOR IT, BUT -- BUT YOU KNOW ALL OF THAT COMBINED I THINK IT DOES MAKE SENSE TO FOLLOW UP ON COUNCILMEMBER KIM'S VERY GOOD IDEA THAT TAKING AN ANALYSIS OF THIS, AND LOOKING AT WHAT WE CAN AFFORD, WHAT OUR -- WHAT DO WE HOPE TO GET AND SO NOT -- I SUGGEST WE FOLLOW UP ON THIS IDEA, SOME OTHERS BRING FORWARD AND LOOK AT GETTING AN INDEPENDENT ANALYSIS AS WE MOVE INTO THE PUBLIC SAFETY BUDGET, TO TAKE COUNCILMEMBER KIM'S SUGGEST ARE SUGGESTION AND GET AN INDEPENDENT ANALYSIS OF WHAT WE CAN AFFORD, WHAT THOSE BENCHMARKS ARE, WHEN WE GO INTO PUBLIC SAFETY NEGOTIATIONS IN TWO YEARS, WE REALLY KNOW WHERE WE ARE TRYING TO GO, WHAT WE CAN AFFORD, ALSO WHAT WE HOPE TO ACHIEVE. SO I WANT TO COMMEND THE COUNCILMEMBER ON THAT. I WILL WORK WITH HER TO BRING FORWARD SOMETHING TO GET THAT ANALYSIS -- MOVING.

COUNCILMEMBER, WHAT DO YOU MEAN BY INDEPENDENT ANALYSIS.

YOU SAID WE NEED AN ANALYSIS.

A DISCUSSION ABOUT IT.

McCracken: MY RECOMMENDATION IS THAT WE GET PROBABLY THE BEST NATIONAL PERSPECTIVE POSSIBLE. BUILD ON SOMETHING THAT COUNCILMEMBER MARTINEZ AND COUNCILMEMBER LEFFINGWELL AND I WORKED ON TOGETHER LAST YEAR WHEN COUNCILMEMBER MARTINEZ

WAS WORKING IN THE FIRE NEGOTIATIONS, THAT WAS -- WE DISCOVERED ONE OF THE THINGS WE DIDN'T KNOW WAS WHERE WE STOOD RELATIVE TO OTHER PLACES. WE REACHED AN APPROACH TO GET AN INDEPENDENT INFORMATION OF THE NATIONAL PERSPECTIVE. WHAT WE CAN AFFORD IN ANY OF THIS IS NOT HAVING A GOOD BASELINE OF INFORMATION ABOUT WHAT OTHER PLACES DO, YOU KNOW, BECAUSE FOR INSTANCE LET'S TAKE THE EXAMPLE OF NEW YORK CITY. NEW YORK CITY IS THE GOOD AND THE BAD, NEW YORK CITY HAD A BASICALLY WENT FINANCIALLY BANKRUPT IN THE 1970S. BECAUSE THEY DID A VERY POOR JOB OF MANAGING THEIR UNION CONTRACTS. IN THE 1990S, THEY DID THE BEST JOB IN THE NATION OF REDUCING CRIME THROUGH A VARIETY OF TECHNIQUES THAT INVOLVED MORE PEOPLE ON THE STREETS, MORE POLICE PRESENCE IN THE SUBWAYS. THERE ARE THINGS THAT WE CAN LEARN FROM OTHER CITIES INSTEAD OF JUST CONFINING IT WITHIN OUR FOUR WALLS. I KNOW THAT YOU HAVE BEEN A GREAT ADVOCATE OF LOOKING AT WHAT OTHER CITIES DO. USING THAT AS A BENCHMARK.

ABSOLUTELY.

SO I THINK POSSIBLY GET NATIONAL EXPERTISE TO GIVE US KNOWLEDGE THAT EVERYBODY HAS CONFIDENCE, BUT ALSO TEACHES US THINGS THAT WE DON'T HAVE PERSONAL EXPENSE WITH, THAT WOULD BE A POSITIVE DEAL.

I'M SURE THERE ARE A LOT OF RESOURCES AVAILABLE, INCLUDING OUR AUSTIN POLICE ASSOCIATION WHO WILL I'M SURE WILL HAVE SOME -- SOME IDEAS ON HOW WE CAN HELP GET THAT INFORMATION.

FURTHER COMMENTS, QUESTIONS? IF NOT WE WILL STARTING TODAY WE WILL BEGIN OUR LENGTHY QUESTION AND ANSWER FORMAT AND PROCESS AND PUBLIC HEARING AND CITIZEN INPUT PROCESS THROUGHOUT MUCH OF AUGUST AND INTO SEPTEMBER. SO THANK YOU ALL VERY MUCH. WE WILL LET SOME OF THE STAFF CLEAR OUT AS WE GEAR UP FOR OUR ZONING ORDERS AND APPROVAL OF RESTRICTIVE COVENANTS. ZONING CASES. WE WILL WELCOME MR. GREG GUERNSEY.

THANK YOU MAYOR AND COUNCIL, MY NAME IS GREG GUERNSEY WITH THE NEIGHBORHOOD PLANNING AND ZONING DEPARTMENT. I'M GOING TO WALK THROUGH THE 4:00 ZONING ITEMS WHERE THE PUBLIC HEARINGS ARE CLOSED AND THE ITEMS THAT WE CAN OFFER FOR CONSENT AT THIS TIME. STARTING WITH ITEM NO. 108, THIS IS CASE C 144-06-0016, NORWOOD TOWER PROPERTY LOCATED AT 114 WEST SEVEN STREET. REZONING FROM CENTRAL BUSINESS DISTRICT, CBD TO CENTRAL BUSINESS DISTRICT HISTORIC, CBDH. READY FOR CONSENT APPROVAL ON SECOND AND THIRD READINGS. ITEM NO. 109 CASE C 14-05-0085, THE POWERS 20 PROPERTY LOCATED AT 11520 NORTH IH 35 SERVICE ROAD, SOUTHBOUND. STAFF IS REQUESTING A POSTPONEMENT OF THIS ITEM TO AUGUST 9th. AUGUST 9th BY THE WAY IS A -- IS A SPECIAL CALLED COUNCIL MEETING THAT WILL START AT 3:00 ON A WEDNESDAY INSTEAD OF 4:00 ON A THURSDAY AND TO CONSIDER THE SEVERAL ZONING ITEMS THAT WE HAVE, ALSO THE COMMERCIAL DESIGN STANDARDS WILL BE CONSIDERED THAT NIGHT FOR ORDINANCE AMENDMENT APPROVAL AND PUBLIC HEARING. ITEM NO. 110 C 14060053 STAR RIVERSIDE RESIDENTIAL, LOCATED AT I-35 SOUTH, REZONING REQUEST FROM GENERAL OFFICE OR GO DISTRICT ZONING LIMITED OFFICE, LO DISTRICT ZONING ON TRACT 1, COMMERCIAL LIQUOR SALES OR CS 1 DISTRICT ZONING ON TRACT 2, LIMITED OFFICE OR LO DISTRICT ZONING ON TRACT 3 AND LIMITED OFFICE, LO DISTRICT ZONING ON TRACT 4, TO LAKE COMMERCIAL CONDITIONAL OVERLAY OR LO-CO ZONING ON TRACT 1, GENERAL OFFICE, CONDITIONAL OVERLAY, OR GO-CO COMBINING DISTRICT ZONING ON TRACT 2. MULTI-FAMILY RESIDENTS HIGHEST DENSITY CONDITIONAL OVERLAY OR MF 6 CO ZONING ON TRACT 3. AND GENERAL OFFICE CONDITIONAL OVERLAY OR GO-CO COMBINING DISTRICT ZONING ON TRACT 4. I WILL NOTE THAT THE CONDITIONAL OVERLAY WOULD BE LIMITED TO 120 FEET IN HEIGHT. WE WOULD OFFER THAT FOR SECOND AND THIRD READING APPROVAL. ITEM 111, LOCATED AT 515 POST ROAD, READY FOR SECOND AND THIRD READING READING APPROVAL FOR THIS APPROVE, IT IS -- IT IS A REZONING REQUEST FROM FAMILY RESIDENCE NEIGHBORHOOD PLAN, TO NAIBTD OFFICE, MIXED USE CONDITIONAL OVERLAY NEIGHBORHOOD PLAN COMBINING DISTRICT ZONING. THIS IS READY FOR

CONSENT APPROVAL ON SECOND AND THIRD READINGS.

WHETHER MR. GUERNSEY, GOING BACK TO NUMBER --
NUMBER 110, I BELIEVE THAT YOU WERE GOING TO MENTION
THAT THE BACKUP ORDINANCE WAS -- DID NOT HAVE THE
CORRECT HEIGHT ON IT.

YES. THAT'S WHY I CLARIFIED ON THE LAKE COMMERCIAL
DISTRICT THE HEIGHT IS LIMITED TO 120 FEET, AS I SAID
BEFORE, ALSO READY FOR SECOND AND THIRD READING.
ITEM 112, C14-050207 ON FOR THE PROPERTY LOCATED AT
6863 U.S. HIGHWAY 290 WEST. THIS IS FOR SECOND AND
THIRD READING APPROVAL OF THE REZONING AND
PROPERTY FROM SFWRIM SINGLE FAMILY RESIDENCE
STANDARD LOT OR ISF 2 ZONING TO NEIGHBORHOOD
COMMERCIAL MIXED USE OR LR-MU COMBINING DISTRICT
ZONING. READY FOR CONSENT APPROVAL ON SECOND AND
THIRD READING. ITEM 113, C 1404-0061, 8509 SOUTHWEST
PARKWAY, REZONING FROM GENERAL OFFICE MIXED USE
CONDITIONAL OVERLAY COMBINING DISTRICT ZONING OR
GO-MU-CO ZONING TO GENERAL OFFICE MIXED USE
CONDITIONAL OVERLAY COMBINING DISTRICT ZONING OR
GO-MU-CO ZONING. READY FOR CONSENT APPROVAL ON
SECOND AND THIRD READINGS. ITEM NO. 114 IS CASE C
14060082, KURACHI PAINT AND BODY, SINGLE FAMILY
RESIDENCE STANDARD PLOT NEIGHBORHOOD PLAN
COMBINING DISTRICT ZONING, SF 2 NP TO LIMITED
INDUSTRIAL SERVICES CONDITIONAL OVERLAY,
NEIGHBORHOOD PLAN, COMBINING DISTRICT ZONING, ALSO
KNOWN AS LI-CO NP. READY FOR CONSENT APPROVAL ON
SECOND AND THIRD READINGS. ITEM NO. 115, C 1406-0090
FOR THE PROPERTY LOCATED AT 5401 RIVERSIDE DRIVE,
REZONING FROM LIMITED OFFICE OR LO DISTRICT ZONING
TO LIMITED OFFICE MIXED USE CONDITIONAL OVERLAY
COMBINING DISTRICT ZONING OR LO-MU-CO DISTRICT
ZONING. READY FOR CONSENT APPROVAL ON SECOND AND
THIRD READINGS. ITEM NO. 116, THIS IS PROPERTY --
PROPERTY LOCATED AT 5701 RIVERSIDE DRIVE, A REZONING
REQUEST FROM LIMITED OFFICE OR LO DISTRICT ZONING TO
LIMITED OFFICE MIXED USE CONDITIONAL OVERLAY
COMBINING DISTRICT ZONING OR LO-MU-CO AND THIS IS
READY FOR CONSENT APPROVAL ON SECOND AND THIRD
READING. ITEM NO. 117 LET ME COME BACK TO IN A

MOMENT. THIS IS A REZONING REQUEST WHERE THE APPLICANT IS ACTUALLY NOTED TWO CHANGES THAT THEY WOULD LIKE TO SUGGEST TO THIS ITEM. ITEM NO. 118, THIS CASE C14-05015 FOR THE PROPERTY KNOWN AS FLEX 15 FOR THE PROPERTY LOCATED AT 8420 LONGVIEW ROAD. STAFF IS REQUESTING A POSTPONEMENT TO AUGUST 9th... 9th. ITEM NO. 119, CASE C14-050176, SHROPSHIRE DESSAU ROAD FOR THE PROPERTY AT 11801 DESSAU ROAD, STAFF IS REQUESTING A POSTPONEMENT OF THIS ITEM TO AUGUST 9th. A RELATED ITEM IS ITEM NO. 120, CASE C14-05177, FOR THE PROPERTY AT DESSAU ROAD, STAFF IS ALSO REQUESTING A POSTPONEMENT OF THIS ITEM TO AUGUST 9th. 121, C 814-89-0006.03, CANYON RIDGE PUD AMENDMENT 3. STAFF UNDERSTANDS THAT THE APPLICANT AND THE NEIGHBORHOOD ARE TALKING, STILL TALKING ABOUT THIS ITEM AND I WILL COME BACK TO THIS ITEM LATER. HOPEFULLY THEY HAVE RESOLVED SOME OF THE ISSUE THAT'S THEY ARE DISCUSSING OUT IN THE HALLWAY. ITEM NO. 122 IS CASE C 814-82.006.01. THIS IS NOPE AS LAKE AUSTIN COMMONS, ACA HARTLAND PLAZA, 1717 WEST SIX STREET, 1711 WEST FIFTH FROM PLANNED UNIT DEVELOPMENT NEIGHBORHOOD PLAN COMBINED DISTRICT ZONING TO PLANNED UNIT DEVELOPMENT NEIGHBORHOOD PLAN OR P.U.D.-NP COMBINING DISTRICT ZONING. STAFF WOULD LIKE TO POINT OUT THAT THE PROPERTY HAS BEEN RECENTLY RESUBDIVIDED FOR TRACT OR LOT 2 OF THE LAKE AUSTIN COMMONS SUBDIVISION AND THE NEW REVISED LEGAL DESCRIPTION FOR THAT PROPERTY WOULD BE FOR LOT 1 OF LAKE COMMONS, AUSTIN SUBDIVISION TWO, AND LAKE -- A BLOCK A OF LAKE AUSTIN COMMONS TWO. THAT REPLACES LOT TWO. WITH THAT THAT CAN BE OFFERED FOR CONSENT APPROVAL ON SECOND AND THIRD READINGS. THAT -- THAT CONCLUDES THE ITEMS THAT I COULD OFFER AT CONSENT AT THIS TIME. I WILL COME BACK TO 117. AND 122 IN A FEW MINUTES HERE.

Mayor Wynn: THANK YOU, MR. GUERNSEY, COUNCIL, OUR CONSENT AGENDA FOR THESE ZONING CASES WHERE WE HAVE ALREADY CLOSED THE PUBLIC HEARING WILL BE -- TO APPROVE ITEM NO. 108 ON SECOND AND THIRD READING, TO POSTPONE ITEM 109 TO AUGUST 9th, TO APPROVE ON SECOND AND THIRD READING CASES 110, 111, 112, 113, 114,

115 AND 116, TO POSTPONE TO AUGUST 9th, CASES 118, 119, AND 120. AND TO APPROVE ON SECOND AND THIRD READING, CASE 122. I'LL ENTERTAIN A MOTION.

McCracken: I HAVE A QUESTION. IN HEARING THE REPEATED REFRAIN OF AUGUST 9th I'M GETTING REAL NERVOUS, CAN YOU GIVE US A SENSE OF HOW MANY ZONING CASES ARE SCHEDULED FOR AUGUST 9th IF WE ADD THESE -- VIRTUALLY EVERY SINGLE ONE OF THESE LOOKS LIKE DISCUSSION, WE HAVEN'T EVEN GOTTEN TO THE PUBLIC HEARING SECTION. I WOULD LIKE SOME SENSE OF WHAT WE ALREADY HAVE ON THE DOCKET FOR AUGUST 9th.

WE HAVE THREE DISCUSSIONS ZONING CASES I BELIEVE ON THE 9th ALREADY AND THEN THE COMMERCIAL DESIGN STANDARDS. WITH THE ITEMS THAT WE ANTICIPATE TO POSTPONE TONIGHT, WE EXPECT THAT YOU MIGHT BE THERE UNTIL 10:00 OR 11:00 AT THE LATEST ON THAT EVENING.

McCracken: MY RECOMMENDATION THEN IS SINCE WE GO THE NEXT DAY INTO A COUNCIL MEETING, AS WE ALL KNOW, SINCE WE ARE ALL BASICALLY BRAIN DEAD ON FRIDAYS AFTER OUR LONG THURSDAYS, THAT IF WE ARE GOING TO CONSIDER HAVING THAT EXTENSIVE OF A DOCKET, ON AUGUST 9th, THAT WE START MUCH EARLIER THAN 3:00, MAYBE 10:00 A.M. BECAUSE IT DOESN'T MAKE SENSE FOR US TO BEGIN THURSDAY MORNING AT 10:00 BRAIN DEAD LIKE WE ARE ON FRIDAY MORNINGS.

COUNCILMEMBER, WHAT WE COULD DO, THE ITEMS THAT WERE ALREADY DISCUSSED FOR THE 9th HAVE BEEN NOTIFIED. BUT IF YOU POSTPONE TO TIME DATE CERTAIN, YOU COULD MOVE THE START DATE UP EARLIER FOR THE ITEMS THAT YOU ARE CONSIDERING THIS EVENING.

SAY SOUNDS FINE, PERHAPS WE COULD START DESIGN STANDARDS AT 10:00, DO THESE CASES POSTED FOR 11 OR SOMETHING LIKE THAT.

Guernsey: THE DESIGN STANDARDS THAT ITEM HAS BEEN PREVIOUSLY POSTPONED TO THAT PARTICULAR TIME AND DATE. BUT THE ITEMS THAT YOU ARE POSTPONING THIS

EVENING, WE COULD CERTAINLY START EARLIER IN THAT DAY.

Mayor Wynn: BUT WE DON'T WANT TO START AT 1:00 IN THE MORNING AND GET THROUGH THESE AND SIT AROUND -- WAIT FOR THAT.

McCracken: IF WE HAVE THE ANTICIPATED HEARINGS COMING UP, WHAT TIME WOULD YOU RECOMMEND, GREG, THAT WE START?

Guernsey: WE COULD START CERTAINLY AT 1:00. THAT WOULD PROVIDE YOU TWO ADDITIONAL HOURS TO -- TO LOOK AT THESE ITEMS. NOT ALL OF THESE ITEMS WILL BE DISCUSSION. SOME WILL BE CONSENT. JUST SOME OF THE PARTIES COULDN'T ACTUALLY BE HERE THIS EVENING BECAUSE OF THE SUMMER BEING VACATION TIME, SOME FOLKS WOULDN'T BE HERE.

OKAY.

SO MS. GENTRY, DO YOU SEE A PROBLEM AS WE FORMALLY POST JUST THAT WEEK PRIOR TO AUGUST 9th, WE BEGIN THAT COUNCIL MEETING AT 1:00 P.M.? OBJECTION, COUNCIL? OKAY, I HAVE A PROPOSED CONSENT AGENDA, I WILL ENTERTAIN A MOTION.

MOVE.

SECOND.

MOTION MADE BY COUNCILMEMBER COLE, SECONDED BY COUNCILMEMBER KIM TO APPROVE THE CONSENT AGENDA AS READ. FURTHER COMMENTS, COUNCILMEMBER LEFFINGWELL?

WHEN WE CONSIDERED ON 110, STAR RIVERSIDE, THERE WAS FOR QUESTION OF WHAT WAS GOING TO BE DOWN WITH THE TOWN LAKE TRAIL. I UNDERSTAND A QUESTION HAS BEEN ANSWERED AND I WOULD JUST LIKE TO GET AN ANSWER ON THE RECORD WHAT IS GOING TO BE DONE WITH REGARD TO TOWN LAKE TRAIL.

Guernsey: IT'S MY UNDERSTANDING, TOO, COUNCILMEMBER. THERE'S SOME PRIVATE AGREEMENTS THAT BRYAN BIRDWELL I THINK COULD OUTLINE THAT HE IS OFFERING, NOT NECESSARILY TO THE CITY BUT TO OTHER ENTITIES THAT MAY ADDRESS SOME OF THOSE CONCERNS.

MY NAME IS BRYAN BIRDWELL REPRESENTING CONSOLATION PROPERTY GROUP. YOU ARE CORRECT. THE ANSWER TO YOUR QUESTION IS THAT WE ARE WORKING WITH THE TOWN LAKE TRAIL FOUNDATION AND OUR CONTRIBUTING \$250,000 TOWARDS THE CONSTRUCTION OF A PONTOON BRIDGE UNDERNEATH I-35. [INDISCERNIBLE] TO NORWOOD PARK ON THE WEST SIDE.

Leffingwell: THANK YOU.

YES, SIR.

McCracken: I DO APPRECIATE THE APPLICANT'S REPRESENTATIONS ABOUT WHAT THEY'RE GOING TO DO. I DON'T KNOW THAT THEY HAVE BEEN READ INTO THE RECORD, I DON'T KNOW HOW THEY ARE ENFORCEABLE. I WOULD LIKE MORE INFORMATION ON THAT. WHAT THEY ARE GOING TO BE, HOW THEY ARE GOING TO BE ENFORCED. AS -- AS FAR AS ENFORCEMENT, I'M NOT SURE WE -- IT'S NOT SOMETHING THAT -- THAT IS A REQUIREMENT. THROUGH THE CITY PROCESS. IT'S SOMETHING THAT WE ARE WORKING WITH -- WITH THE TRAIL FOUNDATION IN A PRIVATE MANNER AND HAVE HAD MULTIPLE DISCUSSIONS WITH THEM. IT'S OUR UNDERSTANDING THAT THEY ARE WILLING TO ACCEPT OUR CONTRIBUTION AND WORK WITH US TO MAKE SURE THAT -- THAT THOSE FUNDING TOWARDS THE CONSTRUCTION OF THAT PONTOON BRIDGE. IT IS BEING DONE OUTSIDE OF THE PURVIEW OF THE PARKS DEPARTMENT, BUT CERTAINLY IN COOPERATION WITH AND WITH THE CONSENT OF THE CITY OF AUSTIN PARKS DEPARTMENT.

I KNOW THAT YOU ALL ARE -- OBVIOUSLY ONE OF THE FACTORS ON ALL OF THIS IS -- IS YOU KNOW SOME -- YOU ALWAYS HAVE TO MAKE SURE THAT WHAT YOU ARE DOING IS SURVIVE NOT JUST THE APPLICANT, BUT YOU KNOW ANY SUCCESSORS IN INTEREST, FOR INSTANCE. SO I GUESS IT'S

IMPORTANT TO KNOW FOR STARTERS THAT YOU ALL HAVE BEEN -- BRING BY ALL OF OUR OFFICES YESTERDAY I THINK IT WAS A LIST OF THINGS THAT YOU ARE PROPOSING TO DO. I GUESS THE QUESTION IS DO WE HAVE THIS AS PART OF THE ZONING TODAY? GREG, WHAT'S THE MECHANISM FOR THEM TO BE ENFORCEABLE, WHAT ARE THEY?

WHAT WE CAN DO IS WITH THESE PRIVATE AGREEMENTS, WE HAVE STATED THEM FOR THE RECORD, WE CAN PUT THEM, IF YOU CAN PROVIDE COPIES OF THESE AGREEMENTS JUST IN THE BACK, IN THE FILE FOR RECORDS, SO WHEN THE SITE PLANNER, IF THIS THEY DO A REVIEW, WHEN THE ACTUAL SITE PLAN COMES IN, THEY CAN BE FOUND AGAIN SO THEY WOULD NOT BE LOST. I CAN ALSO TRANSMIT A COPY OF THAT TO OUR WATERSHED PROTECTION AND DEVELOPMENT REVIEW DEPARTMENT SO IT WOULD -- THEY WOULD BE AWARE THAT THESE THINGS EXIST AT THE TIME THE SITE PLAN COMES IN IN THE FUTURE.

ARE YOU SUGGESTING PERHAPS A PRIVATE RESTRICTIVE COVENANT THAT -- THAT WOULD BE SIGNED BY -- BY THE APPLICANT AND --

IN THIS CASE THE TOWN LAKE TRAIL FOUNDATION.

THE TOWN LAKE TRAIL FOUNDATION, WOULD IT MAKE YOU MORE COMFORTABLE TO HAVE SOMETHING SIGNED THAT'S A PRIVATE AGREEMENT THAT COULD BE -- THAT THE TRAIL FOUNDATION COULD ENFORCE?

FOR STARTING, I DON'T EVEN HAVE -- I HAVE NOT -- I KNOW THEY HAVE BEEN BRINGING BY A PIECE OF PAPER. AN ADDITIONAL VERBAL REPRESENTATION, BUT NOT ALL OF THE THINGS ON THAT SHEET WHICH WE DON'T HAVE IN FRONT OF US TODAY ARE -- ARE NOT ALL OF THOSE ARE PRIVATE COVENANTS. PASSED OUT TO HIM. IS THIS PART OF THE ZONING BACKUP OR IS IT --

I DON'T HAVE A COPY OF IT.

IT IS NOT, WE ARE HAPPY TO PROVIDE A COPY TO STAFF, HAPPY TO ENTER INTO PRIVATE RESTRICTIVE COVENANTS TO ENFORCE THESE AND WE ARE HAPPY TO DO THAT AS A

CONDITION OF THE APPROVAL OF THE SITE PLAN. WHAT WE ARE CONCERNED ABOUT IS TRYING TO ENTER INTO ANY AGREEMENTS WITH THE CITY THAT WOULD BE ASSOCIATED WITH ZONING THAT -- THAT ARE NOT REQUIREMENTS THAT THE CITY CAN PLACE AND MIGHT AT SOME POINT BE CONSIDERED SOMETHING OTHER THAN -- A PRIVATE RESTRICTIVE COVENANT AND UNENFORCEABLE. WE REALLY BELIEVE THAT -- THAT, YOU KNOW, WE ARE COMMITTED TO THIS, WE ARE HAPPY TO COMMIT TO IT IN ANY WAY THAT THE CITY WOULD LIKE US TO. THAT -- THAT IS ALLOWABLE. FOR THE CITY. AND SO WE ARE HAPPY TO ENTER INTO ANY TYPE OF PRIVATE RESTRICTIVE COVENANT, PART OF THE ZONING CASE, IF YOU WANT TO ADD A -- A CONDITION TO THE ZONING THAT SAYS THE SITE PLAN CAN'T BE APPROVED AND UNTIL THESE PRIVATE RESTRICTIVE COVENANTS ARE IN PLACE, WE ARE HAPPY TO DO THAT IF THE LAW DEPARTMENT WOULD SO ALLOW, WE ARE HAPPY TO PROVIDE ANY OF THIS INFORMATION TO THE STAFF. WE HAVE OFFERED IT TO THE STAFF. AND WE WILL BE HAPPY TO -- TO ENTER INTO THAT BECAUSE WE ARE FIRMLY COMMITTED BEHIND MAKING THESE CONTRIBUTIONS TO ENHANCE THE QUALITY OF LIFE IN AUSTIN AND IN AND AROUND THIS PROJECT.

MARCY, HOW DO WE HANDLE ALL OF THIS?

WELL, I THINK AS A CONDITION OF THE ZONING IT WOULD BE DIFFICULT TO -- TO MAKE IT CONTINGENT UPON A PRIVATE RESTRICTIVE COVENANT THAT WOULD NOT GO INTO EFFECT UNTIL THE SITE PLAN, PERHAPS YOU COULD INSTRUCT STAFF THAT IT'S THE COUNCIL'S WISH THAT -- THAT AT SITE PLAN THAT -- THAT THE -- THAT THEY MAKE SURE THAT A PRIVATE RESTRICTIVE COVENANT SETTING FORTH ALL OF THESE THINGS IS IN PLACE PRIOR TO THE SITE PLAN GOING THROUGH THE PROCESS.

McCracken: LIKE I SAID BRYAN I'M NOT WORRIED ABOUT YOU ALL, BUT PROPERTY FREQUENTLY CHANGES HANDS. IF WE DON'T HAVE THESE THINGS NAILED DOWN, THIS IS AN UNUSUAL LACK OF SPECIFICITY WALKING INTO A ZONINGIZATION. WE DON'T NORMALLY DO THIS, I KNOW THAT THE CANYON RIDGE FOLKS ARE SCRAMBLING IN THE HALL

TO GET THEIR DEAL INKED. WHAT DO WE DO?

I UNDERSTAND YOUR CONCERN. I'M NOT SURE HOW YOU CAN -- UNLESS YOU WANT THE PRIVATE RESTRICTIVE COVENANT SIGNED BEFORE YOU GO THROUGH THE ZONING CASE AT WHICH POINT WE CAN GO THROUGH SECOND READING, THAT'S ANOTHER ALTERNATIVE. I KNOW THAT FOR A LOT OF US ON THE COUNCIL THAT -- THAT -- THAT WAS BEFORE US, REPRESENTS KIND OF A COMPROMISE AND A RANGE OF VIEWPOINTS ON THIS DAIS THAT YOU KNOW IT IS A MAJOR ISSUE , YOU KNOW, COUNCIL LAST HEARING, THAT WE HAD, THAT -- YOU KNOW THE COMMUNITY AMENITIES, YOU KNOW, WERE A FACTOR IN OUR ASSESSMENT OF THE COMMUNITY BENEFIT OF THIS PROJECT. AS PROPOSED. SINCE IT DOES MARK A DEPARTURE FROM ESTABLISHED POLICY. SO I MEAN THAT --

[INDISCERNIBLE]

McCracken: I PERSONALLY THINK IT WOULD BE AN UNUSUAL PRECEDENT, SINCE WE HAVEN'T DONE IT BEFORE SINCE I HAVE BEEN ON THE COUNCIL, TO KIND OF HAVE SOMETHING BEFORE US, NOT EVEN PART OF THE ZONING CASE, I MEAN, I --

[INDISCERNIBLE]

McCracken: I KNOW THAT I'M -- PART OF THE ASSESSMENT AND COMPROMISE WILLING TO SUPPORT A ZONING CASE THAT HAS THESE AS WELL AS BY THE WAY THE 15-FOOT SIDEWALKS THAT ARE CALLED FOR IN THE CORE TRANSIT CORRIDORS, PURSUANT TO CORE TRANSIT CORRIDORS OF RIVERSIDE, WHICH IS NOT ON THIS PIECE OF PAPER RIGHT NOW. I THINK WE SHOULD HAVE THESE THINGS INKED AT THE SAME LEVEL IF THE CANYON RIDGE NEGOTIATIONS ARE AT LEAST, MAYBE WE DO THAT TONIGHT, I DON'T KNOW. BUT WE TYPICALLY HAVE THAT DONE BEFORE WE VOTE ON SOMETHING AND IT GOES AWAY FROM US. FOR THE REASON THAT -- THAT PROPERTY CHANGES HANDS, IT WOULDN'T -- WE -- HE TRUST YOU, BRYAN, I HAVE TO MAKE SURE THAT WE HAVE ESTABLISHED THE LEVEL OF LEGAL DOCUMENTATION, SINCE LIKE THE CANYON RIDGE CASE, FOR INSTANCE, IS ON ITS THIRD OWNER. AND THAT'S AN

EXAMPLE.

Mayor Wynn: MR. GUERNSEY, WHAT'S YOUR EXPERIENCE IN HOW LONG IT TAKES TO PHYSICALLY CRAFT A -- SOME TYPE OF A RESTRICTIVE COVENANT?

WELL, I MIGHT -- IF THEY HAVE THEIR ATTORNEYS PRESENT AND THE OWNERS ARE THERE, THEY COULD ACTUALLY TABLE THIS ITEM AND THEY CAN GO, COME BACK AND MAKE THESE -- THESE -- PLACE THESE ITEMS INTO SOME FORMAL COVENANT, I'M NOT SURE IF THE RECEIVING PARTIES WOULD BE AVAILABLE, THAT'S THE PROBLEM.

WELL, THAT -- THERE'S -- THERE'S A -- ANOTHER ISSUE WITH THAT, THAT IS THAT THE ACTUAL OWNERS OF THE PROPERTY ARE NOT IN TOWN. AND WOULD HAVE TO BE CONSULTED FROM SOUTH CAROLINA, THAT WOULD BE AN ISSUE WITH THAT NOW. I DON'T KNOW WHAT THE LAW DEPARTMENT'S TAKE ON THIS WOULD BE, BUT IT'S MY UNDERSTANDING THAT AFTER -- AFTER ZONING IS APPROVED, THAT -- THAT THE ORDINANCE DOESN'T ACTUALLY GO INTO EFFECT FOR -- FOR SOME PERIOD OF TIME. AND WE COULD HAVE THIS DRAFTED AND IN PLACE PRIOR TO THE ORDINANCE BEING IN EFFECT. BUT I DON'T KNOW IF THERE'S SOME RECOURSE FOR THE CITY IF THAT'S NOT DONE.

NO. BUT ONCE IT'S PASSED IT'S PASSED. MAYOR TO ANSWER YOUR QUESTION, WE WOULD NOT BE -- MR. GUERNSEY NOR THE LAW DEPARTMENT WOULD NOT BE DRAFTING THE COVENANT SINCE IT IS A PRIVATE RESTRICTIVE COVENANT AND THE CITY IS NOT A PARTY. AND AGAIN I WOULD RECOMMEND IF -- IF THE COUNCIL'S WISH WAS TO HAVE THE PRIVATE RESTRICTIVE COVENANT SIGNED SINCE IT HAS TO BE SIGNED, THE ORIGINAL NEEDS TO BE SIGNED BY THE OWNERS BECAUSE MR. BIRDWELL DOES NOT HAVE THE AUTHORITY TO SIGN SUCH A RESTRICTIVE COVENANT, THAT -- THAT YOU GO ON SECOND READING.

Mayor Wynn: WELL SO COUNCILMEMBER COLE, WOULD YOU --

I HAD A COUPLE MUCH LEGAL QUESTIONS, I'M NOT SURE WHETHER THE PRIVATE AGREEMENT BETWEEN THE

APPLICANT AND THE TRAILS FOUNDATION AS TO THE PONTOON BRIDGE IS THAT A PRO TEM FOR A RESTRICTIVE COVENANT? A PROPER ITEM FOR A RESTRICTIVE COVENANT?

WELL, I AM TRYING TO THINK OF A WAY THAT -- THAT THE -- THE TRAIL PEOPLE COULD ENFORCE WHAT IS BEING -- WHAT IS BEING PROMISED TO THEM. AND -- AND BASICALLY WHAT THEY WOULD BE ENFORCING WOULD BE THE AMOUNT OF MONEY THAT THEY WERE GOING TO BE -- TO BE -- WAS GOING TO BE GIVEN TO THEM SO THAT -- SO THAT I THINK IT'S MY UNDERSTANDING THAT THEY WOULD BE THE ONES WHO WOULD BE BUILDING THESE IMPROVEMENTS, IS THAT CORRECT? THAT'S CORRECT.

THEY WOULD BE RAISING ADDITIONAL FUNDS AS WELL. NOW, IF -- IF A RESTRICTIVE COVENANT IS -- WHICH WE WOULD NOT OBJECT TO, IT WOULD STILL BE CONTINGENT UPON APPROVAL OF A SITE PLAN AND I MEAN IF -- IF A SITE PLAN IS NOT APPROVED AND A PROJECT CAN'T BE BUILT, THEN THESE -- JUST COMMON SENSE SAYS THESE FUNDS WOULD NOT BE TRANSFERRED. FROM THAT STANDPOINT COULDN'T IT STILL BE A CONDITION OF SITE PLAN APPROVAL AS OPPOSED TO ZONING APPROVAL. IT WOULD BE WHEN A SITE PLAN IS APPROVED ON THIS, THAT -- YOU KNOW, THAT RESTRICTIVE COVENANT HAS TO BE IN PLACE.

WELL, I THINK WHAT YOU ARE SAYING IS THAT -- IS THAT YOU ARE ALREADY GOING TO MAKE IT CONTINGENT UPON SITE PLAN APPROVAL. SO THE FACT THAT IT'S SIGNED -- NOW IS -- IF IT'S STILL CONTINGENT UPON SITE PLAN APPROVAL I THINK THAT'S ANOTHER THING THAT THE COUNCIL NEEDS TO UNDERSTAND THAT THESE THINGS ARE NOT A DEFINITE BECAUSE OF THE ZONING, THAT STILL YOU ARE GOING TO MAKE THIS CONTINGENT UPON GETTING THE SITE PLAN THAT YOU ARE REQUESTING.

ABSOLUTELY. IF A SITE PLAN IS NOT APPROVED, A ZONING CHANGE ON A PIECE OF PROPERTY WHERE YOU DON'T GET A SITE PLAN AND THE EXISTING HOTEL IS OUT THERE, DOESN'T MAKE A PROJECT. SO --

Kim: MAYOR, MAY I SAY SOMETHING? WE'VE HAD THINGS

WITH PROJECTS WHERE THE APPLICANTS HAVE OFFERED SOMETHING TO THE COMMUNITY AND WE HAVEN'T PUT THAT INTO A RESTRICTIVE COVENANT, EITHER PRIVATE OR A CONDITIONAL OVERLAY. FOR EXAMPLE, WE HAD A NUMBER OF DEVELOPERS OFFER A CONTRIBUTION FOR AFFORDABLE HOUSING, WHICH I UNDERSTAND THE APPLICANT IS DOING AS WELL. WE HAVEN'T REQUIRED TO PUT THAT IN WRITING, I DON'T SEE WHY WE NEED TO DO THAT NOW. IF THERE IS A COMMITMENT TO WORK WITH THE TOWN LAKE HAIKT FOUNDATION, THEY ARE WORKING TOWARDS THAT AND WE NEED -- WE HAVE SOME TIME WITH THE SITE PLAN APPROVAL, I THINK WE CAN STILL APPROVE SECOND AND THIRD READINGS AND THEY WILL HAVE PLENTY OF TIME TO WORK OUT THE DETAILS OF THAT ARRANGEMENT. THAT IS SOMETHING THAT IT'S AN EXTRA FOR THE COMMUNITY. BUT WE ARE LOOKING AT THIS PROJECT IN TERMS OF WHAT IT'S GOING TO DO FOR OUR CITY AND THIS PARTICULAR LOCATION AND THEN THERE'S -- SO THIS IS JUST ZONING AND THEN THERE'S GOING TO BE THE SITE PLAN APPROVAL.

Cole: MAYOR, RECOGNIZING THE COMPLEXITY OF THE LEGAL ISSUES THAT ARE BEING RAISED WITH SOME OF THE REPRESENTATIONS THAT HAVE BEEN MADE BY THE APPLICANT IN THAT WE DO NOT HAVE A CONSISTENT POLICY ON THIS, I WOULD MOVE THAT WE JUST MOVE WITH -- WITH ITEM NO. 110 AS IS WITHOUT A RESTRICTIVE COVENANT.

Mayor Wynn: AGAIN THE ORIGINAL MOTION STILL ON THE TABLE FOR COUNCILMEMBER COLE, SECONDED BY COUNCILMEMBER KIM TO APPROVE THE CONSENT AGENDA AS OUTLINED, WHICH INCLUDES APPROVING ITEM 110 ON SECOND AND THIRD READING.

McCracken: MAYOR, A CLARIFICATION OF THE MOTION IS WITHOUT ANY OF THE -- OF THE PROPOSALS BEING EMBEDDED IN -- FOR 110?

WELL, I WILL TAKE A FRIENDLY AMENDMENT TO CLARIFY THAT. I DON'T THINK THERE'S ANY PROBLEM WITH MAKING INSTRUCTIONS TO STAFF BEFORE THE FINAL SITE PLAN THAT IS COUNCIL'S DESIRE AND POLICY THAT THE REPRESENTATIONS THAT WERE MADE DURING THIS PROCESS ARE ACTUALLY REVEALED, BUT I'M CONCERNED

THAT WE CAN'T ACTUALLY MANDATE THAT AT THIS POINT AS A PREREQUISITE TO OUR ZONING APPROVAL.

McCracken: I WILL SAY THAT'S WHY WE ALWAYS, BEFORE TODAY, MY EXPERIENCE, HAVE REQUIRED THESE THINGS TO BE INKED, THAT'S WHY THE CANYON RIDGE FOLKS ARE SCRAMBLING IN THE HALLS TO GET THEIR DEAL DONE NOW. WE ARE APPLYING A VASTLY DIFFERENT STANDARDS NOW ON THIS CASE. LIKE I SAID NO CRITICISM OF THE APPLICANT. IT'S JUST THAT OWNERSHIP CHANGES AND THAT'S WHY WE ASK FOR THESE THINGS TO BE IN WRITING. IT'S SUPER UNUSUAL. THERE HAVE BEEN OCCASIONS WHERE WE'VE HAD MAYBE ONE THING THAT HASN'T BEEN. BUT WE HAD A WHOLE RANGE OF PROMISES THAT WERE NOT EVEN ON THE DAIS. NOW IT'S BEFORE US, DOESN'T INCLUDE SOME OF THE VERBAL REPRESENTATIONS. YOU KNOW, I -- MARCY TELL US WHAT HAPPENS IF THE OWNERSHIP CHANGES, THE NEW OWNERS SAY SORRY I DON'T WANT TO DO THIS.

THEY DON'T HAVE TO DO IT.

AGAIN, WE ARE HAPPY TO DEFER TO HAVING A RESTRICTIVE COVENANT COVENANT REQUIRED AT SITE PLAN. OR PRIOR TO SITE PLAN APPROVAL. WE'RE HAPPY TO DO THAT.

McCracken: HOW DO WE DO THAT?

YOU CAN GIVE THE INSTRUCTION TO STAFF THAT'S WHAT YOU DESIRE. BUT THEY ARE NOT LEGALLY OBJECT...OBLIGATED TO DO IT.

BASICALLY THE SITUATION BEFORE US IS -- WE HAVE PEOPLE -- WE HAVE A CASE BEFORE US, THEY SAID WE WILL DO THINGS FOR THE SITE PLAN, BUT THEN WHAT IF, YOU KNOW, THE -- THE OWNERSHIP CHANGES, PEOPLE SAY I DON'T WANT TO DO THIS, OR WE ARE NOT ABLE TO REACH AN AGREEMENT, SUD SUDDENLY, YOU KNOW, WE HAVE A -- AND -- I DON'T KNOW. I MEAN, WE ARE CHANGING ESTABLISHED COUNCIL POLICY ON AN AD HOC BASIS AND I'M RELUCTANTLY WILLING TO GO FORWARD ON THAT BECAUSE I HAVE MADE A COMPLETE ASSESSMENT OF -- THROUGH COMPROMISE OF WHERE WE ARE. BUT IF WE HAVE NO LOCAL PROTECTIONS ESTABLISHED ON THIS, WHICH THIS IS

A SECOND DEPARTURE FROM OUR ESTABLISHED POLICIES, I THINK WE NEED TO HAVE SOMETHING ENFORCEABLE.

COUNCILMEMBER LEFFINGWELL?

Leffingwell: WE TALKED ABOUT THIS A MONTH AGO, I'M KIND OF DISAPPOINTED THAT -- THAT WE SAID COMING FORWARD TO THIS MEETING, THAT WE WANTED SOME KIND OF COMMITMENT AT THAT TIME NOBODY ON THIS COUNCIL, NOBODY OUT THERE, NOBODY ON STAFF, SUGGESTED THAT WE NEED A RESTRICTIVE COVENANT TO ACCOMPLISH THIS. IT WAS MY UNDERSTANDING THAT WE HAD A WRITTEN COMMITMENT PRIOR TO TODAY FROM THE DEVELOPER THAT HE WOULD DO THIS. I ASSUME PERHAPS ERRONEOUSLY THAT THAT WAS ADEQUATE TO -- TO -- TO MAKE THIS COMMITMENT COME TRUE. MY QUESTION FOR YOU IS WITH A WRITTEN COMMITMENT, A LETTER AND WITH THIS -- WITH THIS COMMITMENT ON THE RECORD HERE TODAY, COULD A SITE PLAN APPLICATION BE DENIED. IF THESE COMMITMENTS WEREN'T ADHERED TO.

NO, NO, SIR.

MAYOR?

COUNCILMEMBER MCCRACKEN?

McCracken: WHAT WOULD BE REQUIRED TO MAKE THIS ENFORCEABLE BECAUSE I MEAN LIKE ONCE YOU ALL SAY THIS IS ALL ABOUT THE SUBSEQUENT OWNERS, SINCE OWNERSHIPS CHANGE. IT'S NOT A COMMENT ON THE INTEGRITY OF ANYBODY IN THIS ROOM TONIGHT. BUT WHAT IS REQUIRED TO MAKE THESE REPRESENTATIONS ENFORCEABLE EVEN ON SUBSEQUENT OWNERS OF THIS PROPERTY AT THE TIME THAT THIS SITE PLAN WAS SUBMITTED.

IT WOULD HAVE TO BE SOME SORT OF LEGAL DOCUMENT. IT WOULD HAVE TO BE SIGNED BY THE PARTIES, THAT'S WHY I WAS SUGGESTING A PRIVATE RESTRICTIVE COVENANT BECAUSE THESE ARE -- THIS IS SOMETHING THAT -- THAT THE APPLICANT IS PROMISING TO GIVE FUNDS TO -- TO THE FOUNDATION IN ORDER TO BUILD THESE -- THESE

IMPROVEMENTS AND I CANNOT THINK OF ANOTHER TYPE OF LEGAL DOCUMENT THAT MIGHT DO THE SAME THING.

McCracken: WHAT I WOULD SUGGEST IS THAT WE ARE ALMOST IN THE SITUATION OF A PLANNED UNIT DEVELOPMENT TYPE OF APPLICATION WHERE, YOU KNOW, YOU SAY OKAY, EVEN THE CURRENT ZONING MAY NOT ALLOW FOR THESE THINGS, WE WILL NEGOTIATE SOMETHING TO AN ENFORCEABLE DOCUMENT AS PART OF THE ZONING CODE BECAUSE IT IS BETTER THAN WE COULD GET UNDER BASE ZONING LAWS. SO WHAT WE HAVE HERE, YOU KNOW, IS -- IS I RELUCTANTLY DO NOT BELIEVE WE ARE READY TO HAVE THIRD READING ON THIS UNTIL WE GET IT INTO AN ENFORCEABLE FORM THAT WOULD BE BINDING ON FUTURE OWNERS AND SUBSEQUENT OWNERS AS WELL.

Leffingwell: COUNCILMEMBER KIM MADE THE POINT THAT THESE TYPES OF COMMITMENTS HAVE BEEN MADE BEFORE IN ZONING CASES AND I SEEM TO REMEMBER THE SAME THING. COULD YOU COMMENTS ON THAT? THAT THIS IS NOT A PRECEDENT SETTING EVENT. THAT THIS HAS OR HAS NOT BEEN DONE BEFORE.

WE'VE HAD OTHER INSTANCES WHERE DEVELOPERS HAVE MADE OFFERS TO NON-PROFITS AND THERE'S NOT A MECHANISM FOR THE CITY TO ACTUALLY MAKE THAT A REQUIREMENT. SOMETIMES THOSE AGREEMENTS ARE ACTUALLY SIGNED AND PUT IT IN COVENANT FORM. PRIVATE COVENANT FORM THAT ARE EXECUTED BEFORE YOU ACT, SOMETIMES THEY ARE DONE AFTERWARDS. I COULDN'T GIVE YOU SPECIFIC INSTANCES OF THOSE BEFORE AND AFTER, BUT I KNOW THAT THERE ARE INSTANCES THAT THEY HAVE OCCURRED. BEFORE YOUR ACTION AND AFTER YOUR ACTION. AND IT GETS TRICKY WHEN THERE'S A LAND TRANSACTION INVOLVED, BECAUSE THE EXISTING OWNERS MAY NOT WANT TO SIGN THE AGREEMENT BUT CLOSE AND THEN THE NEW OWNER WOULD BE WILLING TO ACTUALLY SIGN THAT AGREEMENT.

MR. GUERNSEY, IN THE PAST THEN WE HAVE TAKEN THEIR WORD, THEY WOULD DO THAT. IF WE DON'T DO THAT, THEN I'M SURE WE ARE GOING TO HEAR FROM THE NON-PROFITS THAT ARE EXPECTING TO GET THOSE CHECKS IF THEY

DIDN'T RECEIVE THEM.

Guernsey: I AM SURE THEY WOULD CERTAINLY MAKE THEIR CONCERNS KNOWN TO YOU. IT DEPENDS ON THE CIRCUMSTANCES IN EACH ZONING CASES IS UNIQUE. SO DEPENDING ON WHAT THE APPLICANT IS OFFERING AT THE TIME, COUNCIL HAS MADE DIFFERENT DECISIONS AT DIFFERENT POINTS IN TIME.

RIGHT, IN THOSE CASES WE DID NOT REQUIRE THAT THE AGREEMENT BE IN A PRIVATE RESTRICTIVE COVENANT.

Gurensey:: USUALLY THAT'S BETWEEN THE TWO PRIVATE PARTIES. NOT BETWEEN THE COUNCIL AND THE APPLICANT OR THE COUNCIL AND THAT NON-PROFIT.

Kim: RIGHT, WE DIDN'T REQUIRE THAT PRIOR TO MAKING THE GRANTING THE ZONING REQUEST.

McCracken: MAYOR, I WOULD SAY THAT IS -- WE HAVE TO MY KNOWLEDGE ON TWO OCCASIONS ACCEPTED A COMMITMENT ON A CONTRIBUTION TO AFFORD I DON'T BELIEVE HOUSING, WE HAVE NEVER TO MY RECOLLECTION SOMETHING THAT SITE PLAN CONSTRUCTION ISSUES LIKE IN THIS CASE GOOD STRUCK, CONSTRUCTION OF A HIKE AND BIKE TRAIL, A.D.A. ACCESSIBLE PATH CONNECTING RIVERSIDE SIDEWALKS HIKE AND BIKE TRAIL. PERHAPS WHAT WE COULD DO IS WORK UP SOMETHING THIS EVENING, THERE COULD BE A COVENANT ON THE -- ON THE PUBLIC IMPROVEMENTS ON THE SIDE BETWEEN THE CITY AND --

EXAM, MAYBE WE HAVE A MIS-- COUNCILMEMBER MCCRACKEN, THERE HAS BEEN A RESTRICTIVE COVENANT SIGNED TO ADDRESS THE ON SITE ISSUES, CONSTRUCTION OF HIKE AND BIKE TRAIL, GRANTING THE EASEMENT, A.D.A. FROM RIVERSIDE DOWN TO TOWN LAKE. A RESTRICTIVE COVENANT HAS BEEN SIGNED FOR THAT. RELATED TO THIS PROPERTY.

THE RESTRICTIVE COVENANT ONLY SPEAKS TO -- TO THE EASEMENT FOR THE HIKE AND BIKE TRAIL. I DRAFTED IT.

THAT RELATES TO THIS PARTICULAR PROPERTY. NOT OFF-SITE IMPROVEMENTS.

IT DOESN'T ADDRESS ANYTHING OFF-SITE. BUT ON SITE IT DOES ADDRESS THOSE ISSUES AND A SITE PLAN HAS ALREADY BEEN SUBMITTED TO THE CITY THAT INCLUDES THE -- THE HIKE AND BIKE TRAIL CONSTRUCTION ON SITE.

DO WE HAVE, KIND OF CHECK EVERYBODY TODAY, THAT'S AN IMPORTANT DISTINCTION. GREG, IS THAT WHERE WE ARE? ON THE CONSTRUCTION OF THE HIKE AND BIKE TRAIL THE A.D.A. ACCESSIBLE PATH, BINDING DOCUMENTS IN THAT.

THOSE ITEMS THAT ARE ON THE PROPERTY IS CORRECT. I THINK THESE OTHER ITEMS WHERE THEY TALK ABOUT DONATIONS AND OFF-SITE IMPROVEMENTS, WE DO NOT HAVE.

THAT'S A TOTALLY DIFFERENT DEAL. THANK YOU FOR CLEARING THAT, BRYAN. THEN I'M FINE. THE ONLY THING THAT I WANT TO MAKE SURE IS THAT WE DO HAVE, ALSO THE -- THE SIDEWALKS TO THE DESIGN STANDARDS, REQUIREMENTS FOR TRANSIT CORRIDOR ALONG RIVERSIDE.

THOSE TO MY KNOWLEDGE ARE NOT PART OF THIS AGREEMENT. OR THE SPECIFIC DESIGN OF A --

I KNOW YOU ALL DON'T HAVE AN OBJECTION --

WE DON'T HAVE AN OBJECTION TO THAT, WE WILL MAKE THAT PART OF THE SITE PLAN, IT'S NOT PART OF THE RESTRICTIVE COVENANT THAT'S BEEN SIGNED TODAY.

WOULD YOU ALL ACCEPT A FRIENDLY AMENDMENT TO MAKE THAT INCLUDE THAT?

WE ARE HAPPY TO ADD IT AS A CONDITIONAL OVERLAY.
[MULTIPLE VOICES]

I WAS LOOKING AT MARCY.

Martinez: THE MAYOR IS FOR ALL OF THE CONSENT ITEMS,

WHICH INCLUDES ITEM 110 OR SECOND AND THIRD READING.

Martinez: I'M CLARIFYING IT, SOUND LIKE THEY MIGHT BE TRYING TO TALK THEM OUT OF A SPECIFIC MOTION FOR 110.

Mayor Wynn: COUNCILMEMBER COLE'S MOTION COULD BE AMENDED TO PERHAPS CHANGE ONE OF THE ITEMS. BUT WE MIGHT BE --

MY CONCERN IS IF YOU ARE CHANGING THE CONDITIONAL OVERLAY, THEN PERHAPS WE COULD READ SOMETHING INTO THE RECORD CHANGING THE CONDITIONAL OVERLAY BUT THAT IS NOT IN THE CURRENT ORDINANCE.

McCracken: MAY I SUGGEST TO MAYBE TABLE THIS ITEM, WE WILL SEEK THE LANGUAGE WHILE YOU ARE DOING PROCLAMATIONS AND FINALIZE THAT AND SEE IF WE CAN BRING THAT BACK AS A FORMAL --

McCracken: GREG, ACTUALLY, FOR ME HE WAS TRYING TO GET THIS -- I DON'T THINK THAT'S ACTUALLY NECESSARY SINCE MY UNDERSTANDING IS SINCE WE ARE GOING TO VOTE ON THE SITE PLAN, YOU ALL SUBMITTED A SITE PLAN, BUT IF WE READ SOMETHING INTO THE RECORD, I BELIEVE THAT THAT ISSUE WOULD BE SUFFICIENT ABOUT THE SIDEWALK ON RIVERSIDE, JUST MAKE SURE THAT -- THAT WE ARE TRYING TO ENSURE THE REDEVELOPMENT ON THESE CORE TRANSIT CORRIDORS INCLUDES SIDEWALKS OF CERTAIN CAPACITIES, SO -- MY ESTIMATION IS THAT READING THAT INTO THE RECORD AS PART OF THE MOTION WOULD BE SUFFICIENT. AND I WOULD PERSONALLY BE SATISFIED WITH THAT PORTION. AS LONG AS THE MOTION MAKER AND THE SECONDER ARE OKAY WITH THAT AS A FRIENDLY AMENDMENT.

I AM.

OKAY.

COUNCILMEMBER KIM? FRIENDLY AMENDMENT?

FINE.

SO -- SO CAN WE CONSIDER THEN HAVING BEEN READ INTO THE RECORD?

THAT IS PART OF THE RECORD AS FAR AS I KNOW.

ALL RIGHT.

Mayor Wynn: OKAY. SO WE ARE BACK TO THE MOTION AND A SECOND ON THE TABLE TO APPROVE THE CONSENT AGENDA AS READ. WHICH INCLUDES APPROVING ITEM NO. 110 ON SECOND AND THIRD READING WITH THESE ADDITIONAL COMMENTS FOR THE RECORD? RECORD. FURTHER COMMENTS. HEARING NONE, ALL THOSE IN FAVOR PLEASE SAY AYE.

AYE.

Wynn: OPPOSED? MOTION PASSES ON A VOTE OF 7-0. MAYOR ON ITEM 117, THE AGENT FOR THE CASE HAS INDICATED THAT THEY WOULD NOT OBJECT TO THAT ITEM BE POSTPONED TO AUGUST 9th. THIS ITEM 117.

Mayor Wynn: I WILL ENTERTAIN MAKE MOTION. C14-050150, FAIRFIELD, WOODLAND PARK, TO POSTPONE THAT ITEM TO THE 9th.

THE REQUEST IS TO POSTPONE.

Guernsey: TO POSTPONE TO AUGUST 9th. THE APPLICANT'S AGENT INDICATED IT'S ALL RIGHT WITH THEM TO POSTPONE THAT ITEM.

Leffingwell: SINCE WE HAVE MOVED THE AGENDA BACK TO 1:00, I WILL MOVE TO POSTPONE UNTIL AUGUST 9th.

Guernsey: STAFF UNDERSTANDS THAT POSTPONEMENT TO 1:00.

MOTION BY COUNCILMEMBER LEFFINGWELL, SECONDED BY COUNCILMEMBER MCCracken TO POSTPONE ITEM NO. 117 TO OUR 1:00 WEDNESDAY AUGUST 9th COUNCIL MEETING. ALL THOSE IN FAVOR PLEASE SAY AYE.

AYE.

Wynn: OPPOSED? MOTION PASSES ON A VOTE OF 6-0 WITH COUNCILMEMBER KIM OFF THE DAIS.

DO YOU WANT ME TO CONTINUE THROUGH THE PUBLIC HEARING CONSENT ITEMS?

I THINK WE CAN KNOCK THOSE OUT QUICKLY, THE CONSENT AGENDA THAT IS.

THESE ARE THE 4:00 PUBLIC HEARING ITEMS, LET ME GO THROUGH THE ITEMS THAT WE CAN OFFER FOR CONSENT AT THIS TIME. FIRST IS 123, NPA-05-001.01 AT 1201 AND 1203 BAYLOR. STAFF IS RECOMMENDING THIS NEIGHBORHOOD PLAN AMENDMENT BE POSTPONED TO AUGUST 9th... 9th. ACTUALLY THAT'S A REQUEST BY THE NEIGHBORHOOD AND STAFF. ITEM 124, CASE C14-050012, AT 1201 BAYLOR. THIS IS A POSTPONEMENT REQUEST BY THE NEIGHBORHOOD, STAFF CONCURS WITH THE POSTPONEMENT TO AUGUST 9th... 9th. ITEM 125, 1203-BAYLOR, THIS IS AN APPLICANT REQUEST FOR POSTPONEMENT. STAFF CONCURS TO AUGUST 9th. STAFF UNDERSTANDS WHEN THESE COME BACK TO YOU ON THE ETHYL BE CONSENT ITEMS, ALL PARTIES AGREE THEY ARE JUST ABSENT. 126 C14-05-1079 THE SPRING LAKE SUBDIVISION, THE NEIGHBORHOOD REQUESTED THE POSTPONEMENT TO AUGUST 24th, IT'S THEIR FIRST REQUEST. APPLICANT WILL CONSENT TO THIS ITEM REMAINING ON YOUR AGENDA AS A CONSENT ITEM, WILL DISPUTE THE POSTPONEMENT IF HE COULD SAY A COUPLE OF QUICK WORDS. MAYOR, I CAN HAVE HIM SPEAK NOW OR AFTER I GO THROUGH THE REST OF THE CONSENT ITEMS.

LET'S GO TO THE CONSENT ITEMS.

VERY GOOD. ITEM 127, CASE FOR THE PROPERTY -- 127 CONSENT FOR A POSTPONEMENT TO AUGUST 9th, APPLICANT AND STAFF. ITEM NO. 128, IN THIS CASE C 14-06, 000, SAN JOSE LOFTS, POSTPONEMENT REQUEST BY APPLICANT, STAFF CONCURS TO AUGUST IT. ITEM 129, C14-05-0164, FOR THE PROPERTY LOCATED AT U.S. HIGHWAY 290 EAST, APPROXIMATELY 360 FEET FROM THE INTERSECTION

WITH SPRINGDALE ROAD, REZONING REQUESTED TO DEVELOPMENT RESERVE OR DR DISTRICT ZONING AND INTERIM RR, RURAL RESIDENCE DISTRICT ZONING TO COMMUNITY COMMERCIAL CONDITIONAL OVERLAY OR A GR-CO DISTRICT ZONING ON TRACT 1, LIMITED INDUSTRIAL SERVICES CONDITIONAL OVERLAY. OR LI-CO ZONING COMBINING DISTRICT ZONING FOR TRACT 2, THE COMMISSION RECOMMENDED THIS REQUEST, READY FOR ALL THREE READINGS. ITEM 130 IS CASE C14-050219 SETON SOUTHWEST, THE LOT LOCATED AT 7900 F.M. 1826, THIS IS A REZONING REQUEST FROM INTERIM RURAL RESIDENCE OR INTERIM RR DISTRICT ZONING TO GENERAL OFFICE OR GO DISTRICT ZONING. THE PLANNING COMMISSION RECOMMENDATION IS FOR GO DISTRICT ZONING, THIS IS READY FOR CONSENT APPROVAL ON ALL THREE READINGS. ITEM NO. 131 CASE C 14060027 LOCATED AT 9804 F.M. 620, THIS IS A REZONING REQUEST FROM DEVELOPMENT RESERVE AND SINGLE FAMILY RESIDENCE OR SF 2 TO COMMUNITY COMMERCIAL OR GR DISTRICT ZONING, ZONING AND PLATTING COMMISSION RECOMMENDED TO GRANT COMMUNITY COMMERCIAL CONDITIONAL OVERLAY OR GR-CO COMBINING DISTRICT ZONING WITH CONDITIONS AND THIS IS READY FOR ALL THREE READINGS. ITEM 132 IS CASE C 14060059, THE RETAIL BUILDING LOCATED AT -- EUERS, REZONING FROM RURAL RESIDENCE OR RR DISTRICT ZONING AND SINGLE FAMILY RESIDENTS STANDARD LOT OR SF 2 DISTRICT ZONING TO COMMUNITY COMMERCIAL CONDITIONAL OVERLAY OR GR-CO COMBINING DISTRICT ZONING THE ZONING ZONINGS RECOMMENDED TO GRANT [INDISCERNIBLE] READY FOR FIRST READING ONLY. ITEM NO. 133, BRAKER POINTE WHOLE FOODS MARKET FOR THE PROPERTY LOCATED AT 10701 NORTH MOPAC EXPRESSWAY. THIS IS A REZONING REQUEST FOR LIMITED INDUSTRIAL SERVICES PLANNED DEVELOPMENT OR LIPDA COMBINING DISTRICT ZONINGS TO LIMIT INDUSTRIAL SERVICED PLANNED DEVELOPMENT AREA OR LIPDA COMBINING DISTRICT ZONING AND THIS IS RECOMMENDED AND IS READY FOR ALL THREE READINGS. ITEM NO. 134, CASE ON LAKE AUSTIN BOULEVARD, THIS IS TO -- TO REZONE THE PROPERTY AT 2307 LAKE AUSTIN BOULEVARD FROM MULTIFAMILY MEDIUM DENSITY OR MF 3 DISTRICT ZONING TO GENERAL COMMERCIAL SERVICES OR MIXED USE OR CS MU.

ZONING AND PLATTING COMMISSION RECOMMENDED TO GRANT GR-MU-CO ZONING. THIS IS READY FOR ALL THREE READINGS AND I WILL MENTION THAT DRIVE-IN SERVICE WAS A PROHIBITED USE BY THE ZONING AND PLATTING COMMISSION. AND I JUST WANTED TO MAKE SURE THAT THAT WAS POINTED OUT. IT IS IN THE ORDINANCE. ITEM 135 CASE C 14-06-0093. PROPERTY LOCATED AT 5900 CAMERON ROAD. THIS IS REZONING REQUEST FROM COMMUNITY COMMERCIAL CONDITIONAL OVERLAY OR GR-CO COMBINING DISTRICT ZONING NEIGHBORHOOD COMMERCIAL CONDITIONAL OVERLAY OR LR-CO COMBINING DISTRICT ZONING AND FAMILY RESIDENCES, SF 3 COMBINING DISTRICT ZONING AND MULTI-FAMILY RESIDENCE, MF 4 COMBINING DISTRICT ZONING TO COMMUNITY COMMERCIAL MIXED USE GR-MU-CO COMBINING DISTRICT ZONING, RECOMMENDED TO YOU BY THE PLANNING COMMISSION AND THIS IS RECOMMENDED FOR APPROVAL ON ALL THIRD READINGS. ITEM NO. 136 IS C 14-06-94, THE PRESERVE AT RIVER PLACE, A REZONING CASE AT 10,300 MILKY WAY FROM THE EXISTING ZONING OF DEVELOPMENT RESERVE OR DO DISTRICT ZONINGS TO SF 1 DISTRICT ZONING. THE ZONING AND PLATTING COMMISSION RECOMMENDED SINGLE FAMILY RESIDENCE LARGE LOT, SF 1 CO COMBINING DISTRICT ZONING WITH CONDITIONS, THIS IS A ED FOR ALL THREE READINGS. ITEM 137, C 14060095 THE PRESERVE AT RIVER PLACE. FOR THE PROPERTY LOCATED AT 10,312 MILKY WAY DRIVE. A REZONING FROM DEVELOPMENT REDESERVE OR DR TO SINGLE FAMILY RESIDENCE LARGE LOT OR SF 1. THE ZONING AND PLATTING COMMISSION SF 1 CO STANDS FOR SINGLE FAMILY RESIDENTS LARGE LOT, CONDITIONAL OVERLAY, COMBINING DISTRICT ZONING. CONDITIONS READY FOR ALL THREE READINGS. ITEM 138, LEGACY OAKS CHRISTIAN SCHOOL FOR THE PROPERTY LOCATED AT 7915 MANCHACA ROAD, REZONING REQUEST FROM DEVELOPMENT RESERVE OR DR DISTRICT ZONING SINGLE FAMILY RESIDENCE STANDARD LOT OR SF 2 DISTRICT ZONING AND FAMILY RESIDENCE SF 3 DISTRICT ZONING TO GENERAL OFFICE CONDITIONAL OVERLAY, WHICH IS GO-CO..CO COMBINING DISTRICT ZONINGS. ZONING AND PLATTING COMMISSION RECOMMENDED GENERAL OFFICE CONDITIONAL OVERLAY COMBINING DISTRICT ZONING OR GR-CO READY FOR CONSENT APPROVAL ON ALL THREE

READINGS. ITEM NO. 139, KNOWN AS DREAM CARS FOR THE PROPERTY LOCATED AT 9577 U.S. HIGHWAY 290 EAST. THIS IS A REZONING REQUEST FROM DEVELOPMENT RESERVE OR DR DISTRICT ZONING TO COMMUNITY COMMERCIAL CONDITIONAL OVERLAY OR GR-CO COMBINING DISTRICT ZONING. THE ZONING AND PLATTING COMMISSION RECOMMENDED TO GRANT COMMUNITY COMMERCIAL CONDITIONAL OVERLAY. READY FOR CONSENT ON ALL THREE READINGS. 140, MILSTEADY WAREHOUSE FOR THE PROPERTY LOCATED AT 12301 ROCKS SEE DRIVE, FROM ISF 2 DISTRICT ZONING TO LIMITED INDUSTRIAL SERVICES OR LI DISTRICT ZONING. THE ZONING AND PLATTING COMMISSION RECOMMENDED TO GRANT LIMITED INDUSTRIAL SERVICES CONDITIONAL OVERLAY OR LI-CO COMBINING DISTRICT ZONING AND THIS IS READY FOR CONSENT APPROVAL ON ALL THREE READINGS. ITEM 141, MILL STEAD PROPERTY LOCATED AT 8210 SPRINGDALE ROAD, THIS IS A REZONING REQUEST FROM INTERIM RURAL RESIDENCE OR IRR DISTRICT ZONING TO LIMITED INDUSTRIAL SERVICES CONDITIONAL OVERLAY OR LI-CO COMBINING DISTRICT ZONING. THE ZONING AND PLATTING COMMISSION RECOMMENDED TO GRANT LIMITED INDUSTRIAL CONDITIONAL OVERLAY COMBINING DISTRICT ZONING IN THE PROPERTY AND THIS IS FREED CONSENT APPROVAL ON ALL THREE READINGS. ITEM 142, HIGHLAND COMMONS, REZONING REQUEST FROM GENERAL COMMERCIAL SERVICES MIXED USE NEIGHBORHOOD PLAN COMBINING DISTRICT ZONING, TO COMMERCIAL LIQUOR SALES MIXED USE NEIGHBORHOOD PLAN COMBINING DISTRICT ZONING, CS 1 MU-NP ZONING. THE PLANNING COMMISSION RECOMMENDED THE CS 1 MU CO-NP ZONING. READY FOR CONSENT APPROVAL ON ALL THREE READINGS. ITEM 143, THIS IS CASE C 14-06-111, FIRST PENT COASTAL CHURCH OF AUSTIN, 7440 ED BLUESTEIN, REZONING FROM LIMITED OFFICE OR LO NEIGHBORHOOD COMMERCIAL LR DISTRICT ZONINGS, MULTI-FAMILY RESIDENCE MEDIUM DENSITY OR MF 3 TO NEIGHBORHOOD COMMERCIAL CONDITIONAL OVERLAY COMBINING DISTRICT ZONING OR LR-CO ZONING, THE PLANNING COMMISSION RECOMMENDED TO GRANT NEIGHBORHOOD COMMERCIAL CONDITIONAL OVERLAY OR LR-CO ZONING ON THIS PROPERTY. THIS IS READY FOR CONSENT APPROVAL ON ALL THREE READINGS. ITEM NO.

144, JENKINS 20/21 PROPERTY LOCATED AT 4208 MANCHACA ROAD, REZONING REQUEST FROM NEIGHBORHOOD COMMERCIAL OR LR DISTRICT ZONING AND FAMILY RESIDENCE OR SF 3 DISTRICT ZONING TO NEIGHBORHOOD COMMERCIAL MIXED USE CONDITIONAL OVERLAY GUNNINGNING COMBINING DISTRICT ZONING. THE PLANNING COMMISSION REQUESTED AND READY ON FIRST READING ONLY. 145 IS C 14 R-82-006 RCT. AN ITEM TO TERMINATE A RESTRICTIVE COVENANT FOR THE PROPERTY LOCATED AT 13553 RESEARCH BOULEVARD. THE ZONING AND PLATTING COMMISSION RECOMMENDED TO TERMINATE THIS REQUEST. THAT IS READY TO TERMINATE THAT REQUEST. NO ORDINANCE READING ON THAT ITEM. 146, PROMINENT POINT II RESTRICTIVE COVENANT TERMINATION FOR THE PROPERTY AT 8310 NORTH CAPITAL OF TEXAS HIGHWAY. THIS IS A TERMINATION OF RESTRICTIVE COVENANT REQUEST AROUND IT WAS RECOMMENDED BY THE ZONING AND PLATTING COMMISSION FOR TERMINATION, THIS IS READY FOR CONSENT APPROVAL. ITEM NO. 147, PROMINENT POINT 2, RESTRICTIVE COVENANT TERMINATION FOR THE PROPERTY LOCATED AT 5401, 4505, 5505, BLUFFSTONE LANE, THE ZONING AND PLATTING COMMISSION VOTED TO TERMINATE THIS RESTRICTIVE COVENANT, READY FOR CONSENT APPROVAL FOR THE TERMINATION. 148 IS C 814-06, 0054, PROMINENT POINT II P.U.D., FOR THE PROPERTY LOCATED AT 5401, ... BLUFF STONE AT 8310 NORTH CAPITOL OF TEXAS HIGHWAY, BLUFF STONE AT BLUE GRASS DRIVE, THIS IS A REZONING REQUEST FROM INTERIM RURAL RESIDENTIAL OR IRR DISTRICT ZONING, SINGLE FAMILY RESIDENCE STANDARD LOT CONDITIONAL OVERLAY OR SF 2 CO COMBINING DISTRICT ZONING. LIMITED OFFICE LO COMBINING DISTRICT ZONING, COMMUNITY COMMERCIAL OR GR DISTRICT ZONING AND P.U.D. DISTRICT ZONING TO PLANNED UNIT DEVELOPMENT OR P.U.D. DISTRICT ZONING WITH CONDITIONS, THE ZONING AND PLATTING COMMISSION RECOMMENDATION P.U.D. WITH CONDITIONS, THIS IS READY FOR FIRST READING ONLY WITH TWO ADDITIONAL CONDITIONS THAT THE -- THAT THE APPLICANT IS IN AGREEMENT TO IN THE WATERED PROTECTION DEVELOPMENT REVIEW DEPARTMENT THAT REVIEWED. THESE WOULD BE TO ADD PARKING REQUIREMENTS TEMPORARILY ADJUSTED DURING TO THE EXTENTS IN

DURING THE CONSTRUCTION OF SURFACE
PROCESSPARKING AND THE CONSTRUCTION OF A PARKING
GARAGE TO ALLOW CONTINUED OCCUPANCY OF AN
EXISTING BUILDING. THE SECOND CONDITION WOULD BE
THAT THE REQUIREMENTS FOR CONSTRUCTION
SEQUENCING ARE TEMPORARILY ADJUSTED TO ALLOW
CONSTRUCTION OF A PARKING GARAGE AND UTILITIES TO
UTILIZE EXISTING POND AND TO ALLOW CONSTRUCTION OF
A NEW POND TO OCCUR AFTER THE GARAGE AND UTILITIES
ARE COMPLETED. THIS PROPERTY IS BEING REDEVELOPED.
AND THAT SITE DISTURBANCE WOULD REQUIRE THESE TWO
ADDITIONAL CONDITIONS THAT THE APPLICANT HAS AGREED
TO. CONTINUE ON 149 A DISCUSSION OF A POSTPONEMENT,
WE DO HAVE A FIRST REQUEST ON THIS ITEM. BUT THE
APPLICANT WOULD LIKE TO DISCUSS THAT POSTPONEMENT.
AS WELL AS ON 150. ITEM 151, IS FOR -- FOR CONSENT
APPROVAL, THIS IS CASE C 14060114, OUR LADY CATHOLIC
CHURCH FOR THE PROPERTY AT 1320 EAST 51st STREET.
THIS IS A REZONING REQUEST FROM FAMILY RESIDENCE OR
SF 3 DISTRICT ZONING AND COMMUNITY -- TO COMMUNITY
COMMERCIAL CONDITIONAL OVERLAY OR GR-CO. THE
PLANNING COMMISSION PLANNING COMMISSION VOTED FOR
LO-CO COMBINING DISTRICT ZONING. STAFF WOULD LIKE TO
NOTE THAT THE APPLICANT HAS AGREED FOR CONSENT
APPROVAL TO THE OTHER CIVIC USES, IT WAS LIMITED TO
ONLY A SINGLE USE. AFTER A CONSULTATION WITH LAW
DEPARTMENT, WE NEED ADDITIONAL USES SO IT'S NOT
CONSIDERED A SINGLE USE ZONING CASE. STAFF WOULD
RECOMMEND THIS ITEM FOR CONSENT APPROVAL WITH THE
ADDITION OF ALL CIVIC REDUCES, WITH THAT IT CAN BE
APPROVED ON FIRST READING. THAT CONCLUDES THE
CONSENT ITEMS THAT I COULD OFFER AT THIS TIME. AS I
NOTED EARLIER, ITEM 134, THE APPLICANT, ALTHOUGH THEY
OBJECT TO THE POSTPONEMENT REQUEST, THE -- THEY
WOULD NOT OBJECT TO THE POINT WHERE IT WOULD TAKE
IT OFF OF THE CONSENT AGENDA. THEY WOULD JUST LIKE
TO -- TO NOT 134 EXCUSE.

Mayor Wynn: 126.

Gurensey:: THE APPLICANT'S AGENT WOULD JUST LIKE TO
MAKE A SHORT COMMENT. AND LEAVE THAT ON THE

CONSENT AGENDA. THIS IS MR. WITLIFF TO SPEAK TO THAT.

WELCOME.

THANK YOU MAYOR AND COUNCIL. I'M JIM WITLIFF. I JUST WANT TO SAY THAT -- THAT AS THE CASE IS STATED, MY CLIENT IS ASKING FOR ONE RESIDENTIAL HOME SITE, SF 1 ZONING, NEIGHBORHOOD, HAS A PETITION AGAINST IT. MY DISAPPOINTMENT IS THEY STEADFASTLY REFUSED ANY OPPORTUNITIES TO HAVE DISCUSSIONS, MEETING, EXCHANGE INFORMATION. I HOPE THAT THAT WOULD CHANGE BEFORE WE WOULD COME BACK TO COUNCIL BECAUSE I THINK WE ARE WASTING OUR TIME OTHERWISE TO HAVE TWO SIDES THAT HAVEN'T EVEN TALKED AND YOU GUYS HAVE TO SORT THROUGH A VALID PETITION. THANK YOU.

THANK YOU, MR. WITLIFF. MR. GUERNSEY, THAT POSTPONEMENT IS FOR AUGUST IT OR AUGUST 24th -- 9th OR 24th?

Guernsey: THE NEIGHBORHOOD REQUESTED THE 24th.

OKAY, COUNCIL THE CONSENT AGENDA ON THESE PUBLIC HEARING CASES WILL BE WHERE WE TAKE ACTION TO CLOSE THE PUBLIC HEARINGS WILL BE TO POSTPONE CASES 123, 124, 125 TO AUGUST 9th, OUR 1:00 MEETING, POSTPONE CASE 1236 TO AUGUST 24th, POSTPONE CASES 1237 TO 128 TO AUGUST -- 127 AND 128 TO AUGUST 9th. CLOSE AND APPROVE ON ALL THREE READINGS, 129, 130, 31, TO CLOSE THE PUBLIC HEARING AND APPROVE ON FIRST READING ONLY CASE 132. CLOSE THE PUBLIC HEARING AND APPROVE ON ALL THIRD READINGS, CASES 133, 134, 135, 136, 137, 138, 139, 140, 141, 142, 143, AND CLOSE THE PUBLIC HEARING AND APPROVE ON FIRST READING ONLY, CASES 144. CLOSE THE PUBLIC HEARING AND TERMINATE RESTRICTIVE COVENANTS, CASES 145, 146, AND 147. CLOSE THE PUBLIC HEARING AND APPROVE ON 1st READING ONLY, 148 AND CLOSE THE PUBLIC HEARING AND APPROVE ON FIRST READING ONLY CASE 151 WITH THE ADDITIONAL COMMENTS IN THE RECORD BY MR. GUERNSEY. I WILL ENTERTAIN A MOTION.

> MOTION MADE BY COUNCILMEMBER MCCracken,
SECONDED BY COUNCILMEMBER LEFFINGWELL TO APPROVE
THE ASKED AS READ. FURTHER COMMENTS? HEARING
NONE, ALL THOSE IN FAVOR PLEASE SAY AYE.

AYE.

Wynn: OPPOSED? MOTION PASSES ON A VOTE OF MOTION
PASSES ON A VOTE OF 7-0. THANK YOU ALL VERY MUCH.
COUNCIL, THAT TAKES US PAST OUR 5:30 BREAK FOR LIVE
MUSIC AND PROCLAMATIONS, STAY TUNED FOR THE ERIC
TESSNER BAND AND SOME GOOD PROCLAMATIONS, THEN
WE WILL PICK UP OUR ZONING CASES, AFTERWARDS, THANK
YOU. TESS MER,

IF I COULD HAVE YOUR ATTENTION, THIS IS OUR LIVE MUSIC
GIG HERE AT THE AUSTIN CITY COUNCIL. WITH US TODAY IS
THE ERIC TESS MER BAND. LED BY 24-YEAR-OLD GUITARIST
ERIC TESS MER. QUICKLY GAINING FANS ACROSS THE CUP.
ERIC AND -- ACROSS THE COUNTRY. THEY JUST RETURNED
FROM A SUCCESSFUL TOUR OF THE MIDWEST AND CAN DAY
WHERE THEY PLAYED THE MONTREAL JAZZ FESTIVAL IN
FRONT OF THOUSANDS OF NEW FANS, LAST MONTH THEY
CELEBRATED THE RELEASE OF THEIR SECOND ALBUM,
BLUES BULLETS. PLEASE JOIN ME IN RECOGNIZING THREE
OF AUSTIN'S RISING STARS, THE ERIC TESSMER BAND. [
(music) MUSIC PLAYING (music)(music)] [(music) SINGING
(music)(music)] [APPLAUSE]

GREAT STUFF, TELL US WHERE WE CAN HEAR YOUR GIG
NEXT OUR GET YOUR ALBUM OR CD?

WE ARE ON SIXTH STREET ON FRIDAY, MAGGIE MAE'S.
SUNDAY AT [INDISCERNIBLE]

Mayor Wynn: GREAT THE CD I GUESS IS AVAILABLE
EVERYWHERE?

[INDISCERNIBLE] ONLINE.

Mayor Wynn: WEBSITE IS?

Www.ericTESSMERband.com.

BEFORE YOU GET AWAY WE HAVE AN OFFICIAL PROCLAMATION THAT READS, BE IT KNOWN WHEREAS THE LOCAL MUSIC COMMUNITY MAKES MANY CONTRIBUTIONS TOWARDS THE DEVELOPMENT OF AUSTIN'S SOCIAL, ECONOMIC AND CULTURAL DIVERSITY, WHEREAS THE DEDICATED EFFORTS OF ARTISTS FURTHER AUSTIN'S STATUS AS THE LIVE MUSIC CAPITAL OF THE WORLD, THEREFORE I WILL WYNN, MAYOR OF THE CITY OF AUSTIN, TEXAS DO HEREBY PROCLAIM TODAY JULY 27th, 2006, AS ERIC TESS MERMER BAND DAY IN AUSTIN, CALL ON ALL CITIZENS TO JOIN ME IN GRATING THIS FINE TALENT. [APPLAUSE]

WHILE THE BAND BREAKS DOWN OVER THERE, WE WILL START OUR PROCLAMATIONS ON THIS SIDE, WE ARE PLEASED TO BE JOINED BY ROSEMARY CASTLEBERRY, JOINED BY PARKS DIRECTOR WARREN STRUSS, LOOKS LIKE FINE PARKS CLIENTS OF OURS. SO I WILL READ THIS DISTINGUISHED SERVICE AWARD FOR ROSEMARY, THEN ACTUALLY I WOULD LIKE TO ASK WARREN STRUSS TO SAY A FEW WORDS BEFORE WE HEAR FROM ROSEMARY. DISTINGUISHED SERVICE AWARD READS: WE ARE PLEASED TO RECOGNIZE AND HONOR ROSEMARY CASTLEBERRY FOR OUTSTANDING PUBLIC SERVICE AND LEADERSHIP DURING HER 30 YEARS ON VARIOUS BOARDS AND COMMISSIONS WITH THE CITY OF AUSTIN. ROSEMARY HAS BEEN ON THE PARKS AND RECREATION BOARD FOR THE PAST 12 YEARS AND SERVED AS ITS PRESIDENT FROM 1997 TO 2006. THROUGHOUT HER TENURE SHE HAS ENERGIZED AUSTIN CITIZENS TO SUPPORT THE PARKS AND RECREATION DEPARTMENT THROUGH HER GIFTS OF TIME, TALENT AND RESOURCES THIS CERTIFICATE IS PRESENTED WITH OUR SINCERE APPRECIATION OF HER VOLUNTEER SERVICES WHOSE IMPACT HAS BEEN FELT THROUGHOUT THE ENTIRE CITY. THIS IS DATED THE 27th DAY OF JULY, 2006, SIGNED BY ME, MAYOR WYNN, ALSO ACKNOWLEDGED BY THE ENTIRE CITY COUNCIL, MAYOR PRO TEM BETTY DUNKERLY, LEE LEFFINGWELL, MARK MARTINEZ, JENNIFER KIM AND BRUS. BREWSTER MCCRACKEN. [APPLAUSE]

YOU KNOW AS A PARKS DIRECTOR YOU GET OPPORTUNITIES

TO TALK ABOUT PEOPLE THAT YOU TRULY ARE HONORED TO KNOW AND TO BE A PART OF. I LOOK AROUND AND I SEE MAYOR, GUS, GOOD TO SEE YOU. GUS CAN APPRECIATE THIS, TOO, BECAUSE THERE ARE SOME -- THERE ARE SOME LEGENDS THAT ARE TRULY EMBRACED IN THE PARKS AND RECREATION DEPARTMENT. I THINK ABOUT ROBERTA CRENSHAW, I THINK ABOUT ROY G GUERRERO, BEVERLY, I KNOW YOU KNOW ALL OF THESE, MARY ARNOLD, EMMA LONG. WE'VE HAD THE PRIVILEGE OF KNOWING THEM ALL. TODAY IS INCREDIBLE PRIVILEGE TO ADD ANOTHER LEGEND TO THAT LIST. THAT'S ROSEMARY CASTLEBERRY. [ONE MOMENT PLEASE FOR CHANGE IN CAPTIONERS]

SHE BECAME UNBELIEVABLY ONE OF THE BEST BOXING JUNGZ EVER IN THE PARKS AND RECREATION DEPARTMENT. I REMEMBER SEEING HER BESIDE THE BOXING RING GETTING BASICALLY LOTS OF STUFF COVERING OVER HERE IN THE CORNER AND CALLING THOSE CLOSE MATCHES. AND YOU REMEMBER THOSE, DON'T YOU? SHE HAS SERVED ON SO MANY CHURCH ORGANIZATIONS, AND IN 1987 SHE SEFBD AS THE DIRECTOR OF THE MONTOPOLIS NEIGHBORHOOD CENTER AS WELL. SHE HAS VOLUNTEERED IN MANY POLITICAL CAMPAIGNS AND MANY ORGANIZATIONS. YOU CAN SEE KIND OF THE -- YOU CAN SEE THE PATH THAT SHE'S TAKEN. WONDERFUL PATH OF WORKING WITH OUR CHILDREN AND OUR FAMILIES. IN 1994 SHE WAS APPOINTED TO THE PARKS AND RECREATION BOARD AND SERVED FAITHFULLY. AND THEN IN 1997, AS THE MAYOR INDICATED, SHE BECAME THE PRESIDENT OF THE BOARD. SHE ALSO WAS AWARDED LAST YEAR, IT WAS QUITE AN HONOR, I HAD THE OPPORTUNITY TO AWARD HER THE RECIPIENT OF THE PRESTIGIOUS PARK PATRON OF THE YEAR AWARD LAST YEAR. IT WAS AN HONOR FOR ME. SHE HAS SERVED AS CHAIR OF THE BOND OVERSIGHT COMMITTEE AND MANY FUNCTIONS TOO NUMEROUS TO MENTION. SHE HAS ASSISTED CITIZENS TO ASSIST THE PARK SYSTEM THROUGH GIFTS OF TIME AND OTHER RESOURCES AND CHAMPIONED THE NEEDS OF THE PARK BEFORE THE CITY FOR MANY YEARS. SHE STOOD RIGHT HERE AND FOUGHT HARD FOR MANY OF THE PARKS AND RECREATION NEEDS AND WAS SUCCESSFUL IN SO MANY. ROSE MARY ALSO WANTED TO THANK SOMEBODY ELSE SPECIAL TO YOU, AND THAT'S YOUR

HUSBAND SAM FOR SHARING YOU WITH US FOR ALL THESE YEARS. SAM, THANK YOU SO MUCH FOR ALL THOSE YEARS. [APPLAUSE] I UNDERSTAND SON AND DAUGHTER-IN-LAW ARE BACK IN THE CROWD AS WELL. THANK Y'ALL FOR SHARING. WONDERFUL. IT'S AN HONOR NOW TO ASK WHEN TO COME UP AND TO REPRESENT THE MONTOPOLIS RECREATION CENTER, ROSE MARY, AND TO GIVE YOU A SPECIAL TOKEN OF OUR APPRECIATION. [APPLAUSE]

I AM SO HONORED. THIS HAS BEEN A WONDERFUL TRIP. MY RELATIONSHIP FOR 30 YEARS STARTED WITHIN DAYS OF THE TIME WE MOVED HERE, AND WE WERE LIVING ON LAKE AUSTIN BOULEVARD AND LIVING IN UNIVERSITY HOUSING THAT WAS \$42 A MONTH HOUSING THAT THEY HAD FOR US. AND MY SONS AND MY DAUGHTER TOO, BUT MY SONS FIRST OF ALL FOUND TOWN LAKE, AND THE DEEP EDDY SWIMMING POOL AND THE NATURAL SCIENCE CENTER AND MANY, MANY FISHING ON TOWN LAKE. SO AS I SAID, IT STARTED RIGHT THERE BECAUSE IT PULLED ME TOWARD THE THINGS THAT WERE INTERESTING TO ME, WHICH WAS THE PARKS DEPARTMENT. AND I REALLY APPRECIATE. AND I HAVE HAD A WONDERFUL TIME, WONDERFUL TIME WORKING FOR THE DEPARTMENT. I THINK IT HAS THE BEST STAFF, THE BEST PEOPLE THAT I HAVE EVER KNOWN. THEY'RE THERE AND THEY'RE VERY GIVING OF THEMSELVES TO WHAT'S GOING ON. SO ANYWAY, I RECOGNIZE GILBERT, SO THAT WAS ONE THING THAT Y'ALL DIDN'T KNOW ABOUT IS I WORKED IN POLITICS FOR A LITTLE WHILE AND, GUS, IT'S GOOD TO SEE YOU BECAUSE I'VE WORKED WITH HIM WHILE HE WAS IN OFFICE. IT WAS GREAT. BUT ANYWAY, THANK YOU SO VERY MUCH. I'M NOT GOING TO SAY I'M GOING TO MISS YOU, BUT I WON'T BE AROUND AS MUCH AS I USUALLY AM. BUT THANK YOU, AND THANK YOU, MAYOR. I APPRECIATE IT. [APPLAUSE]

Leffingwell: I GOT HERE LATE. I DIDN'T KNOW WE WERE GOING TO GET THROUGH THE MUSIC SO QUICKLY. I WANT TO SAY SOMETHING. I'VE KNOWN ROSE MARY FOR A LONG TIME. WHEN I WAS CHAIR OF THE ENVIRONMENTAL BOARD A FEW YEARS AGO SHE WAS CHAIR OF THE PARKS BOARD APPEARED WE WORKED TOGETHER ON A LOT OF REALLY GOOD PROJECTS THAT WERE REALLY GOOD FOR THE CITY. AND ALSO SHE JUST HAPPENS TO BE MY APPOINTEE TO THE

PARKS BOARD RIGHT NOW. SHE WAS INITIALLY APPOINTED BY DARRELL SLUSHER AND OF COURSE SHE STAYED ON AFTER I WAS ELECTED IN HIS PLACE. SO CONGRATULATIONS ROSE MARY AND THANK YOU FOR ALL YOUR SERVICE. [APPLAUSE]

Mayor Wynn: I HAD TO GET MY INSTRUCTIONS HERE. THE NEXT PROCLAMATION IS ABOUT A.D.A., AMERICAN DISABILITIES ACT COMMEMORATION MONTH. AND WHAT WE HAVE ARE A NUMBER OF PROCLAMATIONS FOR MANY OF OUR PARTNERS IN THIS EFFORT, SO I'LL READ THE PROCLAMATION AND THEN WE'LL HAVE TANYA WINTERS SAY A FEW WORDS AND SHE HAS A LIST OF THE COMPANIES WHO WE ARE PRESENTING AWARDS TO FOR THEIR HELP WITH THE A.D.A. COMPLIANCE. SO I'LL FIRST READ THE PROCLAMATION, WHICH READS: BE IT KNOWN THAT WHEREAS, THE MONTH OF JULY IS ESPECIALLY MEANINGFUL FOR ALL CITIZENS WITH DISABILITIES BECAUSE IT MARKS THE ANNIVERSARY OF THE ENACTMENT OF THE AMERICANS WITH DISABILITIES ACT OR A.D.A. IN 1990. AND WHEREAS WE RECOGNIZE THAT CITIZENS WITH DISABILITIES HAVE A RIGHT TO FULL PARTICIPATION IN THE SOCIAL, CULTURAL AND ECONOMIC ACTIVITIES OF OUR CITY AND THAT THESE INDIVIDUALS HAVE A GREAT DEAL TO OFFER IN RETURN. AND WHEREAS THE CITY OF AUSTIN HAS A STRONG COMMITMENT TO FULL IMPLEMENTATION OF THE AMERICANS WITH DISABILITIES ACT, THUS OFFERING MORE OPPORTUNITIES AND ENHANCED QUALITY OF LIFE FOR EVERYONE IN OUR COMMUNITY. NOW, THEREFORE I, WILL WYNN, MAYOR OF AUSTIN, AM PLEASED TO JOIN THE MAYOR'S COMMITTEE FOR PEOPLE WITH DISABILITIES IN HONORING LOCAL BUSINESSES FOR THEIR COMMITMENT TO THE SPIRIT OF THE A.D.A. AND DO HERE BY PROCLAIM JULY 2006 AS A.D.A. COMMEMORATION MONTH AND WILL ASK TANYA TO COME UP AND SAY A FEW WORDS AND READ THE LIST OF COMPANIES. TANYA?

FIRST OFF, MAYOR WYNN, I'D LIKE TO THANK YOU ON BEHALF OF THE COMMITTEE FOR THE A.D.A. PROCLAMATION AND FOR YOUR CONTINUED SUPPORT FOR AUSTIN CITIZENS WITH DISABILITIES. IN COMMEMORATION OF THE 16TH ANNIVERSARY OF THE A.D.A., THE CITY WISHES TO RECOGNIZE SEVERAL AUSTIN BUSINESSES WHO CONTINUE

TO SHOW GREAT COMPLIANCE AND INCLUSIVE -- I'M SORRY.
FOR THEIR WELCOMING ATTITUDES WITH PEOPLE WITH
DISABILITIES. WE RECOGNIZE THESE BUSINESSES FOR
THEIR LEADERSHIP AND COMMITMENT TO UP HOLDING THE
SPIRIT OF THE A.D.A., WHICH WE CONSIDER OUR NATION'S
SECOND INDEPENDENCE DAY. THE BUSINESSES ARE AS
FOLLOWS: AMC THEATER BARTON CREEK. [APPLAUSE] ON
THE PART AL DIVINE'S AT -- OPAL DIVINE'S AT PENN FIELD.
NORDSTROM'S AT BARTON CREEK MALL. SCHLOTSKY'S DELI,
WEST CANNON. [APPLAUSE] AMY'S ICE CREAM SUPER
SOUTH. [APPLAUSE] JOE'S HOT COFFEE AND GOOD FOOD. [
APPLAUSE] MANGA PIZZA, BURNET. AND SEARS GRAND, I-35
SOUTH. [APPLAUSE] I'D LIKE TO INVITE EVERYONE AFTER
THIS PROCLAMATION TO A SMALL RECEPTION IN THE LOBBY
OUTSIDE OF THE CITY CHAMBERS. THANKS. [APPLAUSE]

Mayor Wynn: FOR THE NEXT PROCLAMATION I'M JOINED BY
DONNA SUNDAY STROM AND DAVID LURIE. IT'S REGARDING
WORLD BREASTFEEDING MONTH. AFTER I SPEAK DAVID WILL
SAY A FEW WORDS AND THEN WE'LL HEAR FROM DONNA.
THE PROCLAMATION READS, BE IT WHERE.. KNOWN THAT
WHEREAS THAT BREASTFEEDING PROVIDES OPT NATIONAL
NUTRITION TO INFANTS AND BREASTFED INFANTS FROM
FEWER EAR INFECTIONS, UPPER RESPIRATORY DISEASES
AND A DECREASED RISK OF DIFFERENT DISEASES IN LIFE
WHILE MOTHERS WHO BREASTFED HAVE A REDUCED RISK
FOR SEVERAL DISEASES. WHILE WE APPLAUD THE EFFORTS
OF THE AUSTIN-TRAVIS COUNTY HEALTH AND HUMAN
SERVICES DEPARTMENT TO PROMOTE THE BENEFITS THAT
BREASTFEEDING PROVIDES WITH THE THEME IT'S
PERFECTLY NATURAL. NOW I, WILL. WILL WYNN, MAYOR OF
AUSTIN, DO HERE BY PROCLAIM AUGUST 2006 AS
BREASTFEEDING MONTH AND DAVID LURIE WILL SPEAK ON
THIS.

THANK YOU, MAYOR. APPRECIATE YOUR SUPPORT AND
ACKNOWLEDGMENT OF THE VERY IMPORTANT HEALTH
BENEFITS OF BREASTFEEDING AND THE MONTH OF AUGUST.
NATIONALLY THERE WILL BE AN EFFORT TO ENCOURAGE
AWARENESS AND SUPPORT OF BREASTFEEDING. THE
HEALTH OF YOUNG CHILDREN IN OUR COMMUNITY IS
PROBABLY THE MOST IMPORTANT MEASURE OF OUR
HEALTH AS A CITY. WITHIN OUR HEALTH AND HUMAN

SERVICES DEPARTMENT WE HAVE A NUTRITIONAL PROGRAM FOR WOMEN, INFANTS AND CHILDREN THAT'S REFERRED TO AS WIC, AND DONNA IS A MANAGER OF THAT PROGRAM AND WE ALSO HAVE A LOT OF PARTNER ORGANIZATIONS AND INDIVIDUALS WHO ARE INVOLVED WITH US IN THIS EFFORT. I'M VERY PROUD TO SAY THAT 85% OF THE MOTHERS WHO PARTICIPATE IN OUR WIC PROGRAM CHOOSE TO BREAST FEED THEIR INFANTS. THAT'S REALLY A PHENOMENAL SUCCESS IN OUR COMMUNITY AND MAKES A VERY SIGNIFICANT DIFFERENCE IN TERMS OF THE HEALTH STATUS OF THEIR INFANTS. WE'RE VERY PROUD OF THAT AND I'D LIKE TO ASK DONNA TO STEP FORWARD AND SAY A FEW WORDS ABOUT THE PROGRAM AND SOME OF THE SPECIAL EVENTS THAT ARE PLANNED FOR AUGUST. DONNA SUNDSTROM.

THANK YOU, DAVID. WE ARE VERY PROUD OF OUR ACCOMPLISHMENT IN WIC AND WE ATTRIBUTE MUCH OF THAT SUCCESS TO OUR WIC BREASTFEEDING PEER COUNSELOR PROGRAM, OUR PEER DAD PROGRAM AND ALSO THE MOM'S PLACE LACTATION SERVICES THAT WE PROVIDE. WE HAVE A LOT OF THE STAFF REPRESENTED HERE, OUR PEER COUNSELORS, PEER DADS AND LACTATION CONSULTANTS WHO PROVIDE THE SERVICES AT MOMS PLACE. WE ALSO RECOGNIZE THAT IT TAKES MORE THAN JUST OUR PROGRAM, THOUGH, TO INFLUENCE A MOTHER'S DECISION, AND I'M VERY EXCITED THAT WE DO HAVE SOME OF OUR COMMUNITY ORGANIZATIONS WITH US AS WELL. WE HAVE MOTHERS MILK BANK OF AUSTIN HERE, HEALTHY MOTHERS, HEALTHY BABIES COALITION. WE ALSO HAVE THE LA LECHE LEAGUE REPRESENTED. WE'RE VERY EXCITED ABOUT HAVING THESE COMMUNITY PARTNERS WITH US AS WELL TO CELEBRATE. THERE ARE MANY EVENTS IN AUGUST THAT ARE GOING TO BE GOING ON IN AUSTIN. I WANT TO SHARE SOME OF THOSE WITH YOU. AT OUR WIC SITE WE HAVE THE FOLLOWING EVENTS. AUGUST THE 3RD NINE TO FOUR AT PFLUGERVILLE. AUGUST THE EIGHTH, ONE TO THREE AT AUSTIN. AUGUST THE 17TH, 8:30 TO 3:00 AT PARKFIELD. AUGUST THE 21st, 1:00 TO 3:00 AT MOM'S LACTATION CENTER. AUGUST THE 22nd, NINE TO 12 AT ST. JOHN'S AND AUGUST THE 23rd, 8:30 TO 3:30 NORTHEAST AND ALSO TO CELEBRATE OUR PEER DAD PROGRAM. ALSO,

COMFORT KEEPERS AND AFRICAN-AMERICAN
BREASTFEEDING ALLIANCE WILL BE SPONSORING AN EVENT
ON AUGUST THE 6TH AT 1:00 O'CLOCK AND WILL TAKE PLACE
AT THE WELLS BRANCH COMMUNITY LIBRARY. HEALTHY
MOTHERS, HEALTHY BABIES COALITION IS ALSO
SPONSORING A BIG EVENT ON AUGUST THE 20TH FROM FIVE
TO 10:00 P.M. AND IT'S GOING TO BE AT THE NUTTY BROWN
CAFE. THERE WILL BE BANDS, IT'S FAMILY FRIENDLY AND SO
HOPEFULLY YOU CAN JOIN US. WE HOPE YOU CAN JOIN US
AND HELP SUPPORT BREASTFEEDING AS AN INFANT
FEEDING NORM AND REMEMBER, IT'S PERFECTLY NATURAL.
THANK YOU. [APPLAUSE]

Mayor Wynn: FOR THE NEXT TWO PROCLAMATIONS I'D LIKE
TO RECOGNIZE MAYOR PRO TEM BETTY DUNKERLEY AND
COUNCILMEMBER MIKE MARTINEZ.

I'M STANDING IN FOR COUNCILMEMBER MARTINEZ WHO HAS
BEEN STRUCK LOW WITH AN ALLERGY THAT JUST CAME
THROUGH, SO HE'S GOING TO CROAK A FEW WORDS IN A
FEW MINUTES. BE IT KNOWN THAT WHEREAS RAMIRO
MARTINEZ HAS DEDICATED HIS LIFE TO PUBLIC SERVICE AS
A COMBAT MEDIC IN THE ARMY AND THEN SERVING IN THE
AUSTIN POLICE DEPARTMENT, THE TEXAS DEPARTMENT OF
PUBLIC SAFETY NARCOTICS DIVISION, THE TEXAS RANGERS
AND AS A JUSTICE OF THE PEACE. AND WHEREAS THE MOST
MOMENTOUS EVENT IN MR. MARTINEZ'S CAREER OCCURRED
WHILE HE WAS WITH A.P.D. AND HELPED END CHARLES WHIT
M.A.P.'S SHOOTING RAMPAGE FROM THE TOP OF THE U.T.
TOWER THAT LEFT 16 DEAD AND 33 WOUNDED. AND
WHEREAS ON THE 40TH ANNIVERSARY OF THE WHITMAN
SHOOTING WE ONCE AGAIN RECOGNIZE MR. MARTINEZ FOR
HIS OUTSTANDING HEROISM ON THAT DAY AS WELL AS FOR
HIS STELLAR CAREER IN SERVICE TO THE CITIZENS OF OUR
STATE AND OUR CITY. NOW THEREFORE I, WILL WYNN,
MAYOR OF THE CITY OF AUSTIN, DO HERE BY PROCLAIM
AUGUST 1st, 2006, AS RAMIRO RAY MARTINEZ DAY AND IT'S
SIGNED BY OUR MAYOR, WILL WYNN. SO
CONGRATULATIONS. [APPLAUSE]

Cole: I HAVE ALL THESE WONDERFUL TALKING POINTS THAT
I'M NOT GOING TO BE ABLE TO READ, BUT I'M GOING TO TRY
TO SAY A COUPLE OF THINGS. IT WAS REALLY IMPORTANT

FOR US TO RECOGNIZE THIS SIGNIFICANT EVENT FOR FOLKS LIKE MYSELF, I ACTUALLY WAS BORN ON AUGUST THE 1st, BUT I WAS BORN THREE YEARS AFTER THAT DAY, SO IT'S IMPORTANT FOR US TO EDUCATE THOSE WHO WERE BORN AFTER THAT EVENT AND TO HONOR AND RECOGNIZE SOMEONE LIKE MR. MARTINEZ. SO I WANT TO GIVE HIM THE OPPORTUNITY TO SHARE WITH US THAT SPECIAL DAY AND THEN I'M GOING TO COME BACK AND MAKE SOME ACKNOWLEDGMENTS OF SOME FOLKS THAT HELPED MAKE THIS HAPPEN TODAY.

THANK YOU VERY MUCH, COUNCILMEMBER MARTINEZ. YOU HAVE A GOOD NAME. [LAUGHTER] IT IS INDEED AN HONOR TO BE HERE BEFORE YOU TODAY BECAUSE 50 YEARS AGO I, A SHARE CROPPER'S SON FROM WEST TEXAS CAME TO AUSTIN, 50 YEARS AGO, AND NEVER IN ANY OF MY WILDEST DREAMS DID I EVER THINK THAT I WOULD BE HERE STANDING IN THE AUSTIN CITY COUNCIL CHAMBERS WITH SUCH AN HONOR -- RECEIVING SUCH AN HONOR. BUT LET ME SAY SOMETHING. ON THIS DAY, AUGUST THE 1st, OF 1966, I WASN'T THE ONLY PERSON THERE. THERE'S A LOT OF OTHER PEOPLE THAT FORMED A TEAM THAT WERE SUCCESSFUL IN BRINGING THIS TRAGEDY TO AN END. AND I WANT TO COMPLIMENT OR COMMEND ALL THE PEOPLE THAT PARTICIPATED, THE PEOPLE FROM THE AUSTIN POLICE DEPARTMENT, THE CITIZENS, ESPECIALLY ALAN CRUMB, THE CITIZEN THAT VOLUNTEERED TO GO UP THERE WITH ME, AND I WANT TO THANK ALL OF THOSE AMBULANCE DRIVERS THAT SACRIFICED AND PUT THEIR LIVES IN DANGER TO PICK UP THE WOUNDED, THE STUDENTS THAT WENT OUT THERE TO THE SCENE AND TOOK OUT ALL THE WOUNDED PEOPLE, AND THE PERSONNEL OVER AT THE EMERGENCY ROOM THAT TOOK CARE OF ALL THE WOUND. AND ALL THE CITIZENS THAT PARTICIPATED IN PROVIDING BLOOD, THAT GIFT OF LIFE THAT A LOT OF PEOPLE NEEDED THAT DAY. AND ONE MORE PERSON OR PERSONS THAT I WANT TO COMPLIMENT OR COMMEND FOR THAT DAY ARE THE PEOPLE THAT THE STUDENTS FROM THE UNIVERSITY THAT WENT OUT THERE AND PULLED THOSE WOUNDED PEOPLE. AND THERE'S MANY OTHER PEOPLE THAT I HAVEN'T MENTIONED, BUT THEY ALL CONTRIBUTED TO THIS TEAM EFFORT TO BE ABLE TO BRING THIS DAY TO A SUCCESSFUL CONCLUSION.

AND YOU KNOW, THAT WAS THE DARKEST DAY IN THE CITY OF AUSTIN, BUT THESE PEOPLE THAT PARTICIPATED BEING PART OF THIS TEAM, THEY WERE THE BRIGHT RAYS OF LIGHT THAT MADE AUSTIN SHINE THAT DAY. AND LAST BUT NOT LEAST, LET ME SAY THAT I AM SO HONORED TO BE HERE, BUT BEHIND EVERY SUCCESSFUL MAN THERE'S A WOMAN. I WANT TO PRESENT TO YOU MY WIFE. WOULD YOU PLEASE STAND UP? [APPLAUSE] SHE HAS HELPED ME OFF THE ROCKS ON THE ROCKY SHORES OF LIFE. THANK YOU VERY MUCH. [APPLAUSE]

Cole: IMMEDIATELY FOLLOWING THE PROCLAMATIONS WE'LL HAVE A RECEPTION IN THE BOARDS AND COMMISSION ROOM, AND OFFICER MARTINEZ WILL BE AVAILABLE FOR ANY COMMENTS, QUESTIONS. IF YOU WANT HIM TO AUTOGRAPH THIS EDITION OF TEXAS MONTHLY MAGAZINE, WHICH HAS A GREAT FEATURE STORY ABOUT THAT TRAGIC DAY. SO I WANT TO ACKNOWLEDGE A FEW FOLKS, THOUGH. THE FIRST ONE WOULD BE MIKE LEEVE FROM TEXAS MONTHLY MG. MR. LEEVE IS HERE TODAY AND WHEN HE FOUND OUT WE WERE DOING THIS PROCLAMATION, HE GRACIOUSLY DONATED A FRAMED COVER AND PHOTOGRAPH OF OFFICER MARTINEZ, SO WE WANT TO PRESENT HIM WITH THIS. [APPLAUSE] I ALSO WANT TO THANK ONE PERSON IN PARTICULAR WHO BROUGHT THIS TO OUR ATTENTION, REMINDED US OF THIS DAY AND REALLY GOT THIS BALL MOVING FORWARD SO THAT WE COULD HONOR MR. MARTINEZ, AND THAT'S MR. ART GUERRERO. I WANT TO THANK HIM FOR BEING HERE AND FOR BRINGING THIS TO OUR ATTENTION AS WELL. THANK YOU, ART. [APPLAUSE] AND LASTLY BEFORE I LOSE MY VOICE COMPLETELY, I WANT TO THANK MY STAFF WHO HELPED ME PUT THIS TOGETHER. PLEASE COME TO THE RECEPTION ROOM. I WANT TO ALSO THANK MR. NEAL SPELS FOR BEING HERE, HE WAS AN INTEGRAL PART OF THAT DAY, REPORTING IT LIVE ON TELEVISION HERE IN AUSTIN. I WANT TO THANK HIM FOR BEING HERE AS WELL AND PLEASE COME TO THE BOARD AND COMMISSION ROOMS AND SHARE A MOMENT WITH OFFICER MARTINEZ AND ALL THE FRIENDS AND FAMILY WHO ARE HERE. THANKS. [APPLAUSE]

Dunkerley: WELCOME. TODAY WE HAVE -- WE'RE HONORED TO PRESENT A DISTINGUISHED SERVICE AWARD TO THE VOLUNTEER FIREFIGHTER MATT ESCOBEDO FOR FREEING A

TRUCK DRIVER FROM HIS BURNING TRUCK CAB FOLLOWING A MULTIPLE VEHICLE ACCIDENT. MATT ESCOBEDO IS DESERVING OF PUBLIC ACCLAIM AND RECOGNITION. THIS CERTIFICATE IS PRESENTED IN ACKNOWLEDGMENT OF MR. ESCOBEDO'S QUICK THINKING, COURAGE AND PREPAREDNESS WHICH SAVED THE LIFE OF THE TRUCK DRIVER. UPON ARRIVING AT THE SCENE OF THE ACCIDENT, HE QUICKLY ENLISTED THE AIDE OF BYSTANDERS TO KEEP THE FIRE AT BAY WITH EXTINGUISHERS WHILE HE FREED THE DRIVER FROM THE BURNING CAB. AS A MEMBER OF THE OAK HILL VOLUNTEER FIRE DEPARTMENT, MATT HAS PARTICIPATED IN VEHICLE RESCUE COMPETITIONS SPONSORED BY THE AUSTIN FIRE DEPARTMENT. BECAUSE HE HAD HIS GEAR ON HAND IN HIS VEHICLE AND WAS WELL TRAINED, HE WAS ABLE TO RESPOND IMMEDIATELY AND SAVE A MAN'S LIFE. WE ARE HONORED TO PRESENT THIS CERTIFICATE IN RECOGNITION OF HIS HEROISM ON THE 27TH DAY OF JULY IN THE YEAR 2006. AND IT'S SIGNED BY OUR MAYOR, WILL WYNN. [APPLAUSE]

Cole: I WANT TO THANK MATT AND HIS COLLEAGUES FOR BEING HERE TODAY. ONE OF THE THINGS THAT SOMETIMES WE DON'T REALIZE HERE IN AUSTIN IS THE ENTIRE PUBLIC SAFETY COMMUNITY THAT EXISTS. WE HEAR ABOUT AUSTIN FIRE DEPARTMENT ALL THE TIME, BUT THERE ARE SO MANY RESIDENTS THAT ARE SERVED BY OTHER PUBLIC SERVANTS BESIDES THE AUSTIN FIRE DEPARTMENT, OAK HILL BEING ONE OF THEM. AND WE HONORED A LEGEND, A HERO FROM 40 YEARS AGO, AND MR. ESCOBEDO IS NOW STEPPING INTO THAT SAME TRAIL OF HEROISM AND I WANT TO THANK HIM SO MUCH FOR SERVING THIS COMMUNITY AND FOR DOING WHAT HE DID WHILE HE WAS NOT ON DUTY. THIS INCIDENT OCCURRED, THIS IS NOT RECOGNITION THAT WE'RE HONORING HIM FOR AN ACT OF BRAVERY, BUT HE WAS OFF DUTY. HE ENLISTED THE HELP OF OTHERS AND PULLED THIS GENTLEMAN OUT OF A BURNING VEHICLE, SO WE'RE HERE TO HONOR HIM TODAY AND I WANT TO THANK HIM SO MUCH FOR BEING HERE. [APPLAUSE]

FIRST I'D LIKE TO THANK COUNCILMEMBER MARTINEZ AS WELL AS THE ENTIRE CITY COUNCIL. BASICALLY IT WAS LUCK OF THE DRAW, I CONSIDER IT. THAT AS SUCH, I HAD THE APPROPRIATE TRAINING AND THE APPROPRIATE YEAR

TO ASSIST THIS GENTLEMAN, SO I JUST HAPPENED TO BE THERE THAT MORNING. AND BASICALLY JUST DOING THE JOB THAT OAK HILL FIRE DEPARTMENT HAS TRAINED ME TO DO, SO THAT BEING SAID, AGAIN I'D LIKE TO THANK THE CITY COUNCIL AS WELL AS THE OAK HILL FIRE DEPARTMENT AND ALSO THE CITIZENS OF OAK HILL FOR ALLOWING ME TO SERVE THE CITIZENS OF OAK HILL. AGAIN, THANK YOU VERY MUCH. [APPLAUSE] WE HAVE GONE THROUGH OUR ZONING CONSENT AGENDAS, BUT STILL WITH A COUPLE OF ZONING RELATED DISCUSSION ITEMS. WELCOME MR. GREG GUERNSEY.

THANK YOU. I UNDERSTAND THAT 121, CANYON RIDGE PLANNED UNIT DEVELOPMENT.

THIS IS A REZONING REQUEST FROM PLANNED UNIT DEVELOPMENT TO PLANNED UNIT DEVELOPMENT WITH CONDITIONS, MAY NOW BE OFFERED BY CONSENT WITH THE UNDERSTANDING THAT IN THE RESTRICTIVE COVENANT THAT YOU HAVE ON THE DIAS THAT THE REFERENCE TO ITEM NUMBER 11, A FAST FOOD RESTAURANT, IS NOT PERMITTED ON THIS PROPERTY, AND THEN IT HAS SOME ADDITIONAL LANGUAGE. THAT THAT ACTUALLY BE DELETED FROM THE PUBLIC RESTRICTIVE COVENANT AND THAT THE UNDERSTANDING IS THAT THE OWNER AND THE NEIGHBORHOOD AND CITY STAFF WILL WORK FOR POSSIBLY A FUTURE AMENDMENT THAT WILL COME BACK AT A LATER DATE. WITH THAT BEING REMOVED, THIS ITEM THEN CAN BE OFFERED BY CONSENT. IT'S MY UNDERSTANDING THE APPLICANT IS IN AGREEMENT AND THE NEIGHBORS ARE IN AGREEMENT. AND IF YOU'RE IN AGREEMENT...

Mayor Wynn: CONSENT ON SECOND AND THIRD READING.

YES, WITH THAT ONE KNOW NOTATION THAT THAT CONDITION IS REMOVED FROM THE ITEM.

Mayor Wynn: MOTION TO PASS IT ON THIRD READING WITH ADDITIONAL CONDITIONS AS OUTLINED BY STAFF. HEARING NONE, ALL THOSE IN FAVOR PLEASE SAY AYE.? ALL IN FAVOR? MOTION PASSES BY A VOTE OF SIX TO ZERO WITH COUNCILMEMBER MARTINEZ OFF THE DIAS.

THANK YOU. MAYOR. THAT GOES ON TO OUR PUBLIC HEARING ITEMS THAT ARE REMAINING. ITEM 149, WHICH IS CASE C-14-06-0079, BLUEBONNET CREEK FOR THE PROPERTY LOCATED AT 2215 BLUEBONNET LANE. THIS IS A REZONING REQUEST FROM SF 3 DISTRICT ZONING TO MULTI-FAMILY RESIDENCE MEDIUM DENSITY OR FM-3 ZONING. THE PLANNING COMMISSION RECOMMENDED TO GRANT MULTI-FAMILY RESIDENCE MEDIUM DENSITY CONDITIONAL OVERLAY OR MF-CO ZONING, AND THERE IS A REQUEST FROM THE ZILKER NEIGHBORHOOD ASSOCIATION TO CONTINUE THIS ITEM TO AUGUST 24TH. THE AGENDA IS NOW MR. DAVID WARD WHO HAS TAKEN OVER ON BEHALF OF HOWARD BAKER. THE OWNER HAS AN OBJECTION TO THE POSTPONEMENT. STAFF WOULD BE RECOMMENDING ON THIS ITEM ITEM 149 AS WELL AS THE FOLLOWING ITEM 150 TO POSTPONE THESE ITEMS THAT WOULD BE DISCUSSION ITEMS FOR THE SPECIAL CALLED COUNCIL MEETING FOR ZONING ITEMS ON THE NINTH, BUT IN THIS CASE THIS IS A NEIGHBORHOOD POSTPONEMENT TO THE 24TH AND THE APPLICANT'S AGENT DISAGREES AND WOULD LIKE TO SPEAK TO THAT.

Mayor Wynn: BUT STAFF WOULD PREFER A POSTPONEMENT TO THE NINTH?

STAFF WAS RECOMMENDING MOST OF THE DISCUSSION ITEMS BE POSTPONED TO THE SPECIAL CALLED MEETING ON THE NINTH. THE NEIGHBORHOOD IN THIS CASE LIKES THE 24TH AND THE AGENT, MR. DAVID WARD, WOULD LIKE TO SPEAK TO THIS BECAUSE I THINK HE HAS SOME CONTRACTUAL ARRANGEMENTS OR SOMETHING THAT HE WOULD LIKE TO PE TO. -- SPEAK TO.

Mayor Wynn: WELCOME.

THANK YOU, MAYOR AND CITY COUNCIL MEMBERS. I AM THE AGENT. I CURRENTLY HAVE THE PROJECT UNDER CONTRACT. I HAVE REQUESTED AND RECEIVED A CONTINUANCE ON THIS CONTRACT FOR A FEE ALREADY. IT'S BEEN UNDER CONTRACT FOR AWHILE. I DID GO TO THE PLANNING COMMISSION AND RECEIVED APPROVAL -- ACTUALLY, MY PARTNER DID, CHARLES WHITFORD, FOR MF-3 ZONING. MY CONTRACT EXPIRES FOR I DON'T TAKE ACTION

AND PURCHASE THIS PROPERTY WITHIN THE NEXT THREE WEEKS. SO IT'S CONTINGENT UPON MY RECEIVING MF ZONING FOR THIS PROPERTY, WHICH I FEEL IS APPROPRIATE. THE PLANNING COMMISSION HAS RECOMMENDED IT, CITY STAFF RECOMMENDS IT. IT IS SURROUNDED BY MF ZONING, AND ON THE BACK SIDE, CS ZONING, WHICH FRONTS ON LAMAR. SO I WOULD APPRECIATE IT IF YOU ALL COULD POSSIBLY EITHER TAKE SOME ACTION TONIGHT, AND IF THAT'S NOT POSSIBLE, DO IT AT THE EARLIER DATE OF AUGUST 9TH SO THAT I CAN COMPLETE MY CONTRACT WITH THE SELLER, HOWARD BAKER, GET MY FINANCING LINED UP AND CLOSE THE DEAL WITH THEM, OTHERWISE I WILL LOSE THE PROPERTY AND ANY ADDITIONAL SUMS I'VE PUT INTO IT RIGHT NOW TO KEEP THE CONTRACT ALIVE.

MAYOR, I WOULD ALSO POINT OUT THAT MR. JEFF JACK IS HERE TO SPEAK ON THE ZILKER NEIGHBORHOOD ASSOCIATION THAT'S HERE ON THIS ITEM.

Mayor Wynn: MR. JACK, WELCOME. LET'S HEAR FROM BOTH SIDES.

MAYOR AND COUNCILMEMBERS, I'M JEFF JACK WITH THE ZILKER NEIGHBORHOOD ASSOCIATION. THIS PROJECT WENT BEFORE THE PLANNING COMMISSION WHEN DAVE'S PREVIOUS PARTNER, CHARLES WHITFORD, WAS HANDLING THE CASE. WE HAD NEGOTIATED AN AGREEMENT WITH CHARLES TO HAVE AN SF-3 PORTION OF THE FRONT OF THIS LOT FACE THE STREET AND THEN HAVE THE HIGHER DENSITY MULTI-FAMILY IN THE BACK. AT THE LAST MINUTE RIGHT AT THE PLANNING COMMISSION MEETING HE BACKED OUT OF THAT AGREEMENT. BASICALLY BECAUSE OF MISINFORMATION WITH REGARD TO COMPATIBILITY STANDARDS ON THE SF-3 LOT NOT BEING TRIGGERED IF IT'S A SINGLE LOT UNDER ONE OWNERSHIP AND A UNIFIED SITE PLAN. HE DID NOT HAVE THAT INFORMATION AND HE THOUGHT THE COMPATIBILITY STANDARDS WAS GOING TO PROHIBIT HIM FROM DOING THE MF ON THE BACK. WE VERIFIED WITH STAFF THAT THAT IS NOT THE CASE. SINCE THEN MR. WHITFORD IS NO LONGER INVOLVED IN THE PROJECT. WE'VE HAD THE CONVERSATION WITH MR. WARD ABOUT WORKING OUT AN AGREEMENT. HE WAS INTENDING

TO TALK TO STAFF AND VERIFY OUR POSITION THAT HAS NOT BEEN DONE. HE HAS NOT COME BACK WITH US TO LOOK AT AN ALTERNATIVE AT KEEPING THE SF-3 ON THE FRONT. SO WE BELIEVE THAT WE CAN ACCOMPLISH A GOOD PROJECT WITH THIS, PRESERVE THE INTEGRITY OF THE SF-3 ZONING. ONE OF THE POINTS OF FACT IN THIS CASE IS THAT IT IS ON THE MAP SURROUNDED BY MF-3, BUT THE REALITY IS THE MAJOR PORTION OF THAT MF-3 IS ACTUALLY BUILT OUT. IT'S SINGLE-FAMILY DUPLEX ZONING DENSITY, AND THAT'S THE AUSTIN HOUSING AUTHORITY TRACT JUST TO THE NORTH. SO WE THINK FOR THE PROTECTION OF THE NEIGHBORHOOD IT'S IMPORTANT TO HAVE THIS SF-3 PORTION ON THE FRONT OF THE LOT AND WE'D LIKE TO HAVE TIME TO CONTINUE TO NEGOTIATE AND WORK OUT THAT AGREEMENT WITH HIM.

Mayor Wynn: THANK YOU, MR. JACK. SO MR. GUERNSEY -- SO I SEE MR. WARD SUGGESTED -- THE PLANNING COMMISSION DID RECOMMEND MULTI-FAMILY, I GUESS, MF-3. MR. WARD'S GENERIC STATEMENT IS THAT STAFF IS ALSO RECOMMENDING MULTI-FAMILY, BUT IS THAT TRUE AND WHICH OF THE CATEGORIES IS STAFF RECOMMENDING?

STAFF IS RECOMMENDING MF-3 ZONING FOR THE PROPERTY, AND THE COMMISSION RECOMMENDED MF-3 ZONING WITH SOME CONDITIONS WITH A 25-FOOT SET BACK FROM THE FRONT PROPERTY LINE LIMITED TO 30 FEET OR TWO STORIES FOR THE FIRST 75 FEET BACK FROM THE PROPERTY LINE. AND IF SF 3 WERE FOR REMAIN WITH ACCESS FOR MF 3 GOING TO THE REAR OF THE PROPERTY, THERE IS A WAY THAT YOU COULD KEEP A SUBSTANTIAL PORTION OF THE SF 3 ZONING ACTUALLY INTACT ON THE FRONT. AND WE HAVE CERTAINLY TALK TO DAVID AND MAKE SURE THAT HE'S ACQUAINTED WITH THOSE DIFFERENT THINGS, IF THAT HASN'T BEEN DISCUSSED.

Mayor Wynn: I'LL JUST SAY I'M VERY EMPATHETIC TO CONTRACTUAL OBLIGATIONS THAT ANY BUYER OR SELLER MIGHT HAVE. IT WOULD BE A FINANCIAL HARDSHIP SHOULD THIS GO LONGER. SO I PERSONALLY WOULD BE SUPPORTIVE OF THE EARLIER DATE, A TWO-WEEK POSTPONEMENT TO THE NINTH, BUT I'LL ENTERTAIN DISCUSSION OR A MOTION.

COUNCILMEMBER MCCRACKEN.

DO WE HAVE A ZONING DOCKET ON THE 10th?

THERE WILL BE SOME ZONING ON THE 10th. MOST OF THOSE WILL BE CONSENT ITEMS.

McCracken: I'M JUST REALLY CONCERNED HOW MUCH WE'VE LOADED UP THE NINTH SINCE WE HAVE A BIG MEETING ON THE 10th TOO. IF WE'RE GOING TO DO IT, IT SEEMS LIKE EVERYTHING WE HAVE SCHEDULED FOR THE NINTH IS GUARANTEED TO BE AN HOUR PLUS PER, SO MAYBE WE NEED TO DO SOME ON THE 10th INSTEAD.

AS I SAID BEFORE, THERE ARE ITEMS THAT YOU HAVE ACTUALLY POSTPONED THAT WILL BE ON CONSENT ON THE NINTH BECAUSE THERE ARE PARTIES EITHER FROM ONE SIDE OR THE EITHER, APPLICANT OR NEIGHBORHOOD, WEREN'T PRESENT AND BOTH PARTIES HAD AGREED TO SOME POSTPONEMENT. SO NOT ALL THE ITEMS THAT YOU POSTPONED THIS EVENING WILL BE DISCUSSION ITEMS WHEN THEY COME BACK. THERE ARE CERTAINLY SOME, I THINK THERE ARE THREE OR FOUR THAT SHOULD GO CONSENT WHEN YOU COME BACK ON THE NINTH.

Mayor Wynn: FURTHER THOUGHTS, COMMENTS, MOTIONS?
COUNCILMEMBER LEFFINGWELL?

Leffingwell: SO THERE'S STILL ONGOING NEGOTIATIONS WITH THIS?

IT SOUND LIKE THE NEIGHBORHOOD WOULD STILL LIKE TO SPEAK TO THE APPLICANT'S NEW AGENT ON THIS CASE.

Leffingwell: YEAH. SO WITH RESPECT TO AS THE MAYOR SAID HONORING THE APPLICANT'S PROBLEM WITH THE CONTRACT, IT SEEMS TO ME THAT PERHAPS THE BEST WAY TO GO WOULD BE TO POSTPONE IT TO AUGUST 9TH OR 10th. I DON'T CARE WHICH. AND THAT WILL GIVE SOME TIME. AND THEN IF MORE TIME IS NEEDED WE CAN ADDRESS THAT PROBLEM THEN.

Mayor Wynn: MOTION BY COUNCILMEMBER LEFFINGWELL TO

POSTPONE ITEM 149 TO AUGUST 10th.

McCracken: SECOND.

Mayor Wynn: SECONDED BY COUNCILMEMBER MCCRACKEN. FURTHER COMMENTS? HEARING NONE, ALL THOSE IN FAVOR PLEASE SAY AYE. OPPOSED? MOTION PASSES ON A VOTE OF SIX TO ZERO WITH COUNCILMEMBER MARTINEZ OFF THE DAIS.

OUR NEXT ITEM IS ITEM 150, CASE C-14-06-0099, AND THIS IS A REZONING REQUEST AT 2105 GOODRICH. IT'S A REZONING REQUEST FROM SF 3 OR FAMILY RESIDENCE DISTRICT ZONING TO URBAN FAMILY RESIDENCE DISTRICT ZONING. PLANNING COMMISSION RECOMMENDATION WAS TO GRANT THE URBAN FAMILY RESIDENCE CONDITIONAL OVERLAY OR...LAY COMBINING DISTRICT ZONING IN THE PROPERTY. STAFF WAS GOING TO SUGGEST A POSTPONEMENT ON THIS ITEM AS WELL CONSISTENT WITH OUR OTHER RECOMMENDATIONS THIS EVENING. I'LL ALSO POINT OUT THAT TODAY STAFF HAS RECEIVED A PETITION AT 24.96% FILED IN OPPOSITION TO THIS REZONING REQUEST BY THE ADJACENT PROPERTY OWNERS WITHIN 200 FEET. AND WITH THAT I'LL PAUSE, BUT THEY WOULD LIKE TO SPEAK -- I'M NOT SURE IF ZILKER HAS A POSITION ON THIS MATTER, BUT I KNOW THAT THEY -- JEFF JACK IS HERE TO SPEAK TO THAT IF NECESSARY.

Mayor Wynn: SO STAFF IS RECOMMENDING A POSTPONEMENT JUST BECAUSE IT WAS --

WELL, WE HAD THE SPECIAL ZONING HEARING SET UP, SO WE WERE TAKING ADVANTAGE OF THAT. WE CAN GO FORWARD CERTAINLY THIS EVENING, BUT I'M NOT SURE IF THEY WOULD LIKE TO TRY TO CONTACT THE PETITIONER SINCE THERE IS A VALID PETITION. IT'S ONLY READY FOR FIRST READING THIS EVENING, BUT AS I SAID BEFORE, WE JUST VALIDATE A PETITION ON THE 27TH, TODAY.

Mayor Wynn: SO THERE HASN'T BEEN A NEIGHBORHOOD REQUEST FOR POSTPONEMENT, IS THAT CORRECT?

THAT'S CORRECT.

Mayor Wynn: MR. WARD, MR. JACK?

I AM NOT TRYING TO REZONE ALL OF ZILKER NEIGHBORHOOD, ALTHOUGH IT MAY SEEM LIKE THAT WITH BACK TO BACK CASES. THIS CASE IS UNIQUE FROM THE BLUEBONNET CASE. AND IF I CAN ASK ONE QUICK QUESTION ABOUT BLUEBONNET, DOES THAT PEEN IF WE COME BACK AUGUST 10th, I WILL KNOW WHETHER OR NOT YOU CAN SUPPORT THE MF-3 THAT DAY OR DOES IT CONTINUE ON AFTER THAT?

Mayor Wynn: WELL, IT WOULD BE THE PREROGATIVE OF COUNCIL TO EITHER TAKE ACTION OR POSTPONE. DEPENDING ON THE COMPLEXITIES OR THE CONTENTIOUSNESS. OFTEN TIME COUNCIL TRIES TO MAKE A DECISION WHEN IT'S READY TO GO.

ON THE GOODRICH PROPERTY THE,,WE ASKED FOR SEVERAL CONDITIONAL OVERLAYS. SEVERAL OF WHICH I HAD SUGGESTED TO THE NEIGHBORS AND AGREED TO. WE HAD A TOTAL OF FIVE. I'VE MET SPECIFICALLY WITH THE NEIGHBORS THREE TIME, WITH THE NEIGHBORHOOD ASSOCIATION AT LEAST TWO OR THREE TIMES, AND WE'VE HAD AGREEMENTS. EACH TIME I'VE COME AWAY WITH AGREEMENTS. NOW, THIS HAS COME AFTER MONTHS OF NEGOTIATION AND HOURS OF TALKING WITH THE NEIGHBORS AS TO WHAT THEY WOULD LIKE TO SEE ON THAT PROPERTY: I FEEL LIKE IT HAS BEEN DECIDED AND TALKED ABOUT AND IT'S READY TO GO. THEY ADDED AN ADDITIONAL CONDITIONAL OVERLAY WHEN I MET FOR THE NEIGHBORS FOR A THIRD TIME. I'VE TALKED WITH JEFF JACK AND I SAID I WILL AGREE TO THAT, BUT AGAIN MY CONDITION WAS TO HAVE IT ALL IN WRITING AND GET IT DONE, SO I WILL AGREE TO THE SIXTH CONDITIONAL OVERLAY AND WOULD LIKE TO KNOW IF IT'S POSSIBLE TO FINALIZE THAT TONIGHT IF WE CAN HAVE A WRITTEN AGREEMENT ON THIS PROPERTY.

Mayor Wynn: IT SOUNDS LIKE WE NEED A WRITTEN ORDINANCE FOR COUNCIL TO PASS SOMETHING ON ALL THREE READINGS AND I THINK STAFF IS TELLING US THEY AREN'T READY FOR THAT ORDINANCE, SO THAT'S WHY

THEY'RE PROPOSING FIRST READING ONLY IF WE HEAR THE CASE TONIGHT, CORRECT?

WE'RE ONLY READY NOW FOR FIRST READING ONLY. WE COULD DO FIRST READING, GET DIRECTION AND COME BACK. I'M NOT SURE WHAT THE SIXTH ITEM ON THE CONDITIONAL OVERLAY IS. WE DO HAVE SEVERAL CONDITIONS THAT THE PLANNING COMMISSION UNANIMOUSLY RECOMMENDED ON THE PROPERTY AND I CAN READ THOSE INTO THE RECORD AND THEN DAVID CAN SPEAK TO THE --

LET'S TRY TO FOCUS ON THIS POTENTIAL POSTPONEMENT FIRST. WE VERY WELL MIGHT HEAR THE CASE HERE IN A COUPLE OF MINUTES. I THINK MR. WARD HAS MADE HIS CASE ON WHY HE WOULD NOT LIKE TO POSTPONE AND ACTUALLY HEAR THE CASE TONIGHT, ALTHOUGH HE MAY NOT KNOW THE TECHNICALITIES OF THE FACT THAT THERE'S NOW A VALID PETITION, THAT RAISES THE BAR FOR US AS A COUNCIL IF WE TRY TO PASS SOMETHING ON A THIRD READING. MR. JACK, WOULD YOU GIVE US YOUR PERCEPTION ON EITHER HEARING THE CASE TONIGHT OR POSTPONING?

MAYOR, COUNCILMEMBERS, JEFF JACK, ZILKER NEIGHBORHOOD ASSOCIATION. WE HAVE BEEN IN NEGOTIATION. WE'RE VERY CLOSE TO AN AGREEMENT. WHAT WE'RE TRYING TO DO IS TIE DOWN LEGALLY WHAT THE DEVELOPER HAS SHOWN TO THE NEIGHBORS AND MAKE SURE THAT WE HAVE A LEGAL STRUCTURE TO ENSURE THAT WHAT HE HAS PROPOSED ACTUALLY GETS BUILT. AND IT INVOLVES AROUND THE SETBACK ON THE EAST SIDE OF THE PROPERTY. HE HAS AGREED TO A 40-FOOT SET BACK, BUT HE HAS SHOWN A DRAWING FOR HIS BUILDINGS THAT HAVE ACTUALLY A 70-FOOT SET BACK TO THE BACK OF THE BUILDINGS. IN THAT 30-FOOT DIFFERENCE, IF WE ACCEPT THE 40-FOOT SET BACK, THEN HE CAN BUILD ALL THE WAY TO IT ONCE HE GETS HIS ZONING. WE WOULD LIKE TO ESTABLISH THAT THAT 70-FOOT THAT HE SHOWS ON THE PLAN IS ACTUALLY WHAT HE'S GOING TO BUILD TO. HE SAYS HE'S GOING TO BUILD THAT, WE WOULD JUST LIKE TO MAKE SURE IT'S DOCUMENTED SOMEWHAT LIKE THE DISCUSSION YOU HAD EARLIER THIS EVENING. THAT IS THE

ISSUE. AND WHETHER WE CAN WORK THAT OUT IS SORT OF AN ISSUE WITH STAFF AND WHETHER THEY CAN PREPARE THE ORDINANCE.

Mayor Wynn: ACTUALLY, COUNCIL, IT SOUNDS LIKE -- THERE WASN'T A SPECIFIC REQUEST FOR A POSTPONEMENT TECHNICALLY, AND I COULD SUPPORT HEARING THE CASE KNOWING THAT WE'RE NOT -- WE CAN ONLY TAKE FIRST ACTION ONLY ANYWAY, AND BY HEARING THE CASE, OF COURSE, WE MIGHT BE ABLE TO GIVE SOME FURTHER DIRECTION FOR THE NEXT HEARING. THOUGHTS, DISCUSSION? ON THE NEED TO POSTPONE OR NOT?

Leffingwell: THE STAFF IS NOT -- MY NOTES INDICATE THAT STAFF IS REQUESTING A POSTPONEMENT ON THIS.

TO BE CONSISTENT, WE UNDERSTOOD THAT THIS WAS A DISCUSSION ITEM, AND SINCE WE HAD THE SPECIAL CALLED MEETING FOR ALL THE ZONING ITEMS, WE'RE SUGGESTING IF COUNCIL WOULD LIKE TO HEAR THIS WE CAN CERTAINLY DO THAT NOW, BOTH SIDES CAN SPEAK TO THIS I GUESS ADDITIONAL CONDITION AND THEN THAT WOULD GIVE THE LAW DEPARTMENT THE ABILITY TO GO DRAFT AN ORDINANCE FOR A LATER DAY. IF BOTH PARTIES --

Mayor Wynn: WE HAVE SIX FOLKS WHO ARE HERE WHO SIGNED UP WISHING TO SPEAK. I THINK WE COULD CONDUCT A PUBLIC HEARING AND CERTAINLY HELP BRING SOME CENTER OF GRAVITY HERE.

VERY GOOD. THEN LET ME CONTINUE THEN. THE CASE IS C-14-06-0099 AT 2105 GOODRICH AVENUE. THIS IS A REZONING REQUEST FROM FAMILY RESIDENCE SO SF-5. THE PLANNING COMMISSION MADE A RECOMMENDATION TO APPROVE THIS REQUEST ON A NINE-ZERO VOTE WITH THE FOLLOWING CONDITIONS. THERE'S A MAXIMUM TRIP LIMITATION AND THE 2000 TRIPS PER DAY, THAT ALONG THE EAST PROPERTY LINE THERE'S A 40-FOOT VEGETATIVE BUFFER, EXCEPT THAT TWO PARKING SPACES NOT ASSOCIATED WITH A PARTICULAR UNIT MAY BE PLACED IN THE BUFFER. SO THESE WOULD BE NON-REQUIRED PARKING SPACES. ALONG THE NORTH PROPERTY LINES NO BUILDINGS WOULD BE TALLER THAN ONE STORY WITHIN 10 FEET THAT HAVE

PROPERTY LINE. ALONG THE NORTH PROPERTY LINE NO BUILDINGS MAY BE TALLER THAN TWO STORIES WITHIN 20 FEET OF A PROPERTY LINE. AND THAT ALL BUILDINGS ALONG GOODRICH AVENUE MUST FACE GOODRICH AVENUE. AT LEAST TWO PARKING SPOTS MUST BE PROVIDED FOR EACH RESIDENTIAL UNIT OR MORE IF REQUIRED BY THE CODE, AND TWO ADDITIONAL PARKING SPACES IN EX-HE ASSESS OF THE REQUIREMENT -- EXCESS OF THE REQUIREMENT BY THE CODE, AND IN EXCESS TO THE TWO SPACES PER RESIDENTIAL UNIT SHOULD BE PROVIDED AND THESE MAY BE LOCATED IN THE 40-FOOT BUFFER ALONG THAT NORTH PROPERTY LINE. THE PROPERTY IS CURRENTLY ZONED SF-3 AND IS SURROUNDED BY SF 3 ZONING TO THE NORTH, EAST. TO THE WEST THERE IS A SMALL TRACT OF MF 3 AND SF 3 PROPERTY OCCUPIED BY COMPLEXES. TO THE SOUTH IS SF 3 H CONTAINING A CHURCH AND A CEMETERY. AT THIS TIME I'LL PAUSE AND DAVID CAN COME FORWARD AND MAKE HIS APPLICANT'S PRESENTATION.

Mayor Wynn: WELCOME. YOU WILL HAVE A FIVE MINUTE PRESENTATION.

THANK YOU, AGAIN, MAYOR AND COUNCILMEMBERS. I ORIGINALLY STARTED NEGOTIATION ON THIS PROPERTY IN THE FIRST PART OF 2005 WITH THE FRIEND'S CHURCH OF AUSTIN, A QUAKER CHURCH. OVER THE NEXT 10 MONTHS WE BUILT UP A RAPPORT AND TRUST OF EACH OTHER AND I WAS FORTUNATE ENOUGH TO BE ABLE TO BUY THE PROPERTY IN DECEMBER. I THOUGHT APPROACHING THE NEIGHBORS AS OPPOSED TO NOT TALKING TO ANYONE, PRESENTING IT TO THE CITY OR GOING TO THE NEIGHBORHOOD ASSOCIATION WAS THE APPROPRIATE WAY TO START THE PROCESS. AS I SAID EARLIER, I MET WITH THEM ON THREE DIFFERENT OCCASIONS, TWICE ON MY PROPERTY, ONCE IN THE NEIGHBOR'S HOUSE AS RECENTLY AS TWO NIGHTS AGO. I'VE ALSO HAD MANY DISCUSSIONS WITH THE EXECUTIVE COMMITTEE. CURRENTLY I'M THE VICE-PRESIDENT OF THE NEIGHBORHOOD EXECUTIVE COMMITTEE. I DO HAVE A PLAN HERE, SOME OF WHICH I HAVE OFFERED. I LISTENED TO THE NEIGHBOR'S REQUESTS ABOUT TALL BUILDINGS NEXT DOOR TO THEM, OVERSEEING THEIR BACKYARDS. I'VE OFFERED THE 10-FOOT SET BACK, 20 FEET TO THE SECOND STORY SET BACK. I SHOW A 70-FOOT

SET BACK, AND THE ONLY CONCERN I HAVE ABOUT MAKING THAT AN ORDINANCE, WHICH I WILL DO TONIGHT, IS IF THROUGH THE PROCESS OF DEVELOPMENT THE CITY COMES BACK TO ME AND SAYS, DAVE, YOU NEED TO ENTER INTO THAT SET BACK. SO I WOULDN'T WANT TO BE EXCLUDING FROM DEVELOPING THE 10 UNITS BECAUSE I'M AGREEING TO AN ADDITIONAL ORDINANCE TONIGHT, BUT I DO AGREE TO IT. AND THE CITY PLANNING COMMISSION HEARD THIS, RECOMMENDED IT WITH THE FIVE -- WHATEVER NUMBER OF CONDITIONAL OVERLAYS, I AGREED TO THAT. THE NEIGHBORHOOD HAS COME UP WITH THIS ADDITIONAL ONE. I AGREED TO THAT. AND AGAIN, I DO OWN THIS PROPERTY SINCE THE LAST OF 2005, AND I DO HAVE A DRAWING IF I CAN PRESENT THIS TO Y'ALL. THIS IS MY ARCHITECT AGO DRAWING OF THE -- ARCHITECT'S DRAWING OF THE PROPOSED DEVELOPMENT THAT I SHOWED THE NEIGHBORHOOD GROUP PLUS THREE OFFICERS FROM THE NEIGHBORHOOD ASSOCIATION TWO NIGHTS AGO. WE HAD AN HOUR AND A HALF MEETING. THAT DEVELOPMENT REFLECTS THE NEIGHBORS' CONCERNS ABOUT THE SIZE OF THE DEVELOPMENT ON THIS PIECE OF LAND. IT'S ONE ACRE WITHIN THE ZILKER NEIGHBORHOOD. IT'S A VERY UNIQUE PIECE OF LAND. I THINK I'VE BEEN SENSITIVE TO THAT, TO THEIR CONCERNS. I'VE TRIED TO DEVELOP SOMETHING THAT DOES REFLECT WHAT THEY ARE CONCERNED ABOUT AND YET IS PROFITABLE FOR ME OBVIOUSLY. THIS IS MY WORK, THIS IS MY JOB, THIS IS THE WAY I MAKE MONEY. SO I THINK IT'S A GREAT COMPROMISE. I THINK IT'S BETTER THAN AN SF 3, WHICH IT CURRENTLY IS ZONED, FOR THE NEIGHBORS, BECAUSE I AM ALLOWED WITH A FEW MORE BUILDINGS TO GIVE THEM THE DECREASE IN HEIGHT IN AREAS THAT DIRECTLY AFFECT THEM, WHICH IS ON THE NORTHSIDE OF THE PROPERTY AND THE EAST SIDE OF THE PROPERTY. ALL OF THOSE SETBACKS ARE IN EXCESS AND PARKING REQUIREMENTS ARE IN EXCESS OF CURRENT CITY DEVELOPMENT STANDARDS. I DON'T HAVE ANYTHING ELSE. I HOPE YOU LOOK AT IT FAVORABLY.

Mayor Wynn: THANK YOU, MR. WARD. QUESTIONS OF THE APPLICANT, COUNCIL? IF NOT, WE'LL HEAR FROM -- WE TYPICALLY HEAR FROM FOLKS WHO ARE IN FAVOR OF THE ZONING CASE, THAT'S JUST MR. WARD. FOLKS IN

OPPOSITION. OUR FIRST SPEAKER, LORRAINE ATHERTON. WELCOME. YOU WILL HAVE THREE MINUTES AND BE FOLLOWED BY JEFF JACK.

HELLO, I'M LORRAINE ATHERTON. I'M THE -- I'M AN OFFICER WITH THE ZILKER NEIGHBORHOOD ASSOCIATION. ON THIS CASE, NEGOTIATIONS ON THIS CASE ESSENTIALLY BROKE DOWN WHEN THE NEIGHBORS REALIZE THAT DAVE HAD SHOWN THEM A SITE PLAN WITH A 70-FOOT SET BACK AND LED THEM TO BELIEVE THAT THE 70 FEET WAS 20 FEET. AND AT THAT POINT THEY GOT SERIOUS ABOUT GETTING EVERYTHING DOWN IN WRITING. TWO NIGHTS AGO HE PRESENTED ANOTHER PLAN WITH A SETBACK OF AT LEAST 70 FEET, YET REFUSED TO PUT THE 70-FOOT NUMBER IN THE CONDITIONAL OVERLAY. SO FINALLY ONE OF THE NEIGHBORS PERSUADED HIM TO TO AGREE, TO TAKE THE SITE PLAN TO ROBERT HEIL AND HAVE ROBERT DRAW UP THE CONDITIONAL OVERLAY AND TO THE SPECIFICATIONS OF WHAT ON THE SITE PLAN. AND DAVE AGREED TO THAT, AND THE NEXT MORNING WHEN PEGGY SENT AN E-MAIL CONFIRMING THAT -- RESTATING THAT WE UNDERSTOOD THIS TO MEAN THAT THE 70-FOOT SET BACK WOULD BE IN THERE AND ALL THESE OTHER THINGS WOULD BE IN THERE, DAVE ONCE AGAIN BLEW UP. SO I WOULD URGE YOU TO PLEASE JUST GO AHEAD AND APPROVE A CONDITIONAL OVERLAY THAT REFLECTS WHAT'S IN THE SITE PLAN THAT DAVE HAS SAID OVER AND OVER THAT'S WHAT HE WANTS TO BUILD. THANK YOU.

Mayor Wynn: JEFF JACK, WELCOME BACK. AND LET'S SEE, MARY FOWLER, IS MARY HERE? WANTED TO DONATE TIME TO YOU, JEFF.

YOU STILL NEED TO GIVE HIM YOUR NAME.

[INAUDIBLE - NO MIC].

Mayor Wynn: THANKS. YOU WILL HAVE ON UP TO SIX MINUTES IF YOU NEED IT, JEFF.

THANK YOU, MAYOR, COUNCILMEMBERS. AGAIN, THIS ISSUE IS SIMPLY TRYING TO RESOLVE INTO SOME LEGAL DOCUMENT WHAT HAS BEEN SHOWN TO THE

NEIGHBORHOODS AND AGREED TO THE NEIGHBORHOODS. THERE ARE THREE THINGS THAT ARE NOT IN THE CONDITIONAL OVERLAY IN THE ORDINANCE AS IT'S NOW WRITTEN. ONE IS THE SETBACK CHANGING FROM 40 FEET TO 70 FEET. ONE HAS TO DO WITH THE FACT THAT ON THE NORTH SIDE OF THE SITE THE FIRST FLOOR THAT IS SET BACK FROM THE PROPERTY LINE, A PROHIBITION FROM BUILDING DECKS ON IT SO THAT YOU EVENTUALLY HAVE THE OPPORTUNITY TO BUILD A SECOND STORY. AND THE THIRD THING IS THE LIMITATION OF 10 UNITS THAT ARE SHOWN. SO ALL WE'RE ASKING FOR IS A CONDITIONAL OVERLAY THAT REFLECTS EXACTLY WHAT HE'S SHOWING. NOW, THAT'S THE ADJACENT NEIGHBORS' CONCERN. THE NEIGHBORHOOD ASSOCIATION, TO BE CONSISTENT WITH OUR POLICY, HAVE ASKED THE DEVELOPER -- WE PRESENTED IT TO THE PLANNING COMMISSION AGAIN OUR REQUEST TO HAVE THE FRONT OF THIS LOT AS SF-3, TO CONTINUE THE SF-3 ZONING ACROSS THERE TO PROHIBIT ANY COMMERCIAL CREEP THROUGH THE LAND. SO OUR CONCERN WITH REGARD TO THAT ISSUE IS NOT ADDRESSED IN THIS CONDITIONAL OVERLAY, BUT THE NEIGHBORS ADJACENT TO THE PROPERTY, IF THEY COULD GET THESE THREE CHANGES IN THE CONDITIONAL OVERLAY, ARE COMFORTABLE WITH THE PROJECT.

Mayor Wynn: THANK YOU, JEFF. LET'S SEE, OUR NEXT SPEAKER IS STEWART McENTIRE. TO BE FOLLOWED BY PEGGY FAFF TO BE FOLLOWED BY (INDISCERNIBLE).

> THE BACK OF MY PROPERTY TOUCHES THE CORNERBACK OF HIS PROPERTY. THE BIGGEST CONCERN THAT WE'VE GOT ON OUR SIDE OF THE PROPERTY HAS BEEN FROM FLOODING, AND SO THAT WAS WHERE WE BEGAN TO TALK ABOUT THE AMOUNT OF SET BACK THAT WE WERE LOOKING FOR ON THE EAST SIDE OF THE PROPERTY. WE CURRENTLY HAVE SOME SERIOUS ISSUES FOR MANY OF THE HOMES ALONG THAT SIDE, AND SO WHEN WE WERE DOING THE DISCUSSIONS, WE WERE UNDER THE IMPRESSION THAT DAVE WAS TRYING TO LAY OUT AN AREA WHERE HE COULD PUT IN SOME RETENTION PONDS AND GREEN SPACE SO THAT THERE WOULD BE SOME CATCHING TIME AND ABILITY FOR THE WATER AND THAT KIND OF THING. I ATTENDED ALL THREE MEETINGS AND THEN ALSO ATTENDED ALL THE

CORRESPONDING LEGAL MEETINGS UP HERE REGARDING ALL OF THIS. DAVE HAS BEEN COOPERATIVE WITH US, BUT HAS BEEN UNWILLING TO PUT SOME OF THE STUFF IN WRITING. IT TOOK QUITE A BIT OF PUSHING TO TRY TO GET HIM TO ACTUALLY WRITE IT DOWN. HE WANTED US TO TAKE HIS WORD ON IT. AND IN MY PAST HISTORY IN DOING BUSINESS DEALINGS, THAT'S A VERY FOOLISH THING TO DO. SO WE HAVE BEEN ASKING FOR THESE THINGS TO BE PUT IN WRITING AND AGAIN TO STATE THAT THE 70-FOOT LINE BE AN ACTUAL 70-FOOT LINES SO THAT THE BUILDINGS WILL NOT BE BEYOND THAT, SO THIS GREEN AREA CAN HELP WITH THE FLOODING ISSUES AND ALSO THAT THE MAXIMUM HEIGHT RESTRICTIONS THAT WERE LISTED BY THE PLANNING COMMISSION BE ACTUALLY IN WRITING IN THE ACTUAL DOCUMENT AND THAT THIS DOCUMENT ACTUALLY BE PRODUCED SO THAT WE ACTUALLY HAVE SOMETHING TO BE SURE THAT WE ACTUALLY HAVE IT ALL UNDERSTOOD BECAUSE THERE WERE A FEW THINGS LEFT OUT FROM THE DRAFT THAT WE SAW ON THE SIGN ON MONDAY OR ON FRIDAY THAT WERE ACTUALLY SPOKEN ABOUT IN THE ACTUAL PLANNING MEETING AS WELL. SO THERE WERE SOME THINGS THAT WERE A LITTLE BIT DIFFERENT FROM THAT. ALSO, ON THE PLAN THERE'S 10 UNITS, AND HE HAD TALKED ABOUT GOING AHEAD AND COMMITTING TO 10 UNITS, WHICH WOULD HELP WITH THE PARKING ISSUE AND TRAFFIC ISSUE, WHICH IS ANOTHER MAJOR CONCERN THAT WE HAD IN THE NEIGHBORHOOD THERE BECAUSE OF THE STREET OUTAGE WHERE IT COMES OUT. AND THE FIVE ITEMS THAT WERE ON THE ACTUAL INITIAL PLANNING COMMISSION REPORT AND HAVING THOSE PUT ACTUALLY IN WRITING. SO THANK YOU VERY MUCH. I APPRECIATE YOUR TIME.

Mayor Wynn: THANK YOU. NEXT SPEAKER IS PEGGY PFATH. SORRY IF I MISPRONOUNCED THAT. YOU WILL HAVE THREE MINUTES AND BE FOLLOWED BY SARAH GLASCOCK.

> GOOD EVENING, MAYOR AND COUNCILMEMBERS. I'M PEGGY AND I WOULD LIKE TO SPEAK TO THE DIFFERENT ELEMENTS OF WHAT WE WOULD LIKE IN THE CONDITIONAL OVERLAY, AND SOME OF THEM WERE LISTED IN YOUR -- THE BACKGROUND MATERIAL FOR THIS MEETING, AND WE HAVE SOME SLIGHT REVISIONS THAT WERE BASED ON OTHER

DISCUSSIONS WE'VE BEEN HAVING. THE -- ALONG THE EAST PROPERTY LINE WE WOULD LIKE FOR THAT NUMBER OTHER THAN DISCUSSED TO BE MOVED FROM 40 FEET TO 70 FEET TO PROVIDE A GREEN SPACE TO PROTECT A CEMETERY, THE HISTORIC CEMETERY NEXT TO THAT AS WELL AS HELP HANDLE SOME OF THE DRAINAGE. ONE OF THE OTHER THINGS THAT ISN'T IN HERE THAT SPEAKS TO THAT SAME AREA IS PUTTING IN A NATURAL RETENTION POND DURING THE PLANNING COMMISSION MEETING IT WAS DISCUSSED ABOUT WHETHER OR NOT THAT COULD BE INCLUDED IN THE CONDITIONAL OVERLAY, AND SO THERE'S BEEN DISCUSSION BACK AND FORTH WITH ROBERT HEIL ABOUT HOW TO HAVE THAT LANGUAGE INCLUDED. AND I BELIEVE THAT DAVE HAS ALSO AGREED TO DO THAT IN HIS DESIGN THAT HE SHOWED US. ALONG THE NORTH PROPERTY LINE, NO BUILDINGS WILL BE TALLER THAN ONE STORY WITHIN 10 FEET AND THAT'S JUST BASICALLY TO KEEP PEOPLE FROM HAVING HOUSES LOOKING OVER. I GUESS IF IT WERE TO BE SF 5 IT WOULDN'T BE UNDER THE McMANSION RULES AND SO SOME OF THE THINGS THAT ARE BEING LOOKED AT UNDER THE OTHER ZONING THINGS THAT FALL UNDER McMANSION WOULD NOT AFFECT THIS AREA. ALONG THE NORTH PROPERTY LINE ALSO, PART OF THE LANGUAGE THAT ISN'T INCLUDED IN THE BACKUP MATERIALS IS THAT THERE WOULD BE A LIMIT TO TWO STORIES TO THAT NORTH PROPERTY LINE. AND AT LEAST TWO PARKING SPACES TO BE PROVIDED WITH EACH RESIDENTIAL UNIT BECAUSE OF THE DECREASING, AND I GUESS IT'S A 20-% DECREASE FOR DUPLEXES. SOMETIMES YOU CAN HAVE THREE INSTEAD OF FOUR. SO WE WOULD LIKE FOR THERE TO BE FOUR TOTAL, SO TWO FOR EACH UNIT. AND ALSO TWO ADDITIONAL PARKING SPACES, WHICH IN DAVE'S DESIGN WAS SHOWN IN THE GREEN SPACE, WHICH WE WOULD BE ABLE TO ACCOMMODATE AND AGREE TO. THE OTHER THING WOULD BE LIMITING TO THE 10 UNITS WHICH I UNDERSTAND FROM THIS EVENING HE IS AGREEING TO. SO THE NEIGHBORHOOD REALLY HAVE HAD A GOOD DISCUSSION WITH DAVE AND WE'VE HAD A LOT OF MEETINGS AND THERE'S BEEN A LOT OF WORKING TOGETHER, AND IF HE WOULD AGREE TO THESE ITEMS THAT I'VE DISCUSSED RIGHT NOW, THEN WE WOULD BE WILLING TO SUPPORT THAT ZONING CHANGE AND WE WOULD

WITHDRAW THE VALID PETITION.

Mayor Wynn: THANK YOU, PEGGY. OUR LAST SPEAKER IS SARAH GLASCOCK. WELCOME. YOU WILL HAVE THREE MINUTES AND THEN WE'LL HAVE A REBUTTAL FROM MR. WARD.

I'M SARAH GLASCOCK AND I LIVE AT 2116 OXFORD AVENUE WHICH IS JUST BEHIND THE CEMETERY. AND ONE OF MY CONCERNS WHEN I HEARD ABOUT THE PROJECT WAS THAT THE CEMETERY WOULD BE PROTECTED. IT'S A VERY SPECIAL PLACE. AND RIGHT ON THE OTHER SIDE ON GOODRICH RIGHT NOW IS A TWO-STORY APARTMENT BUILDING THAT SORT OF ABUTS THE CEMETERY AND NOW THERE'S GOING TO BE A THREE-STORY APARTMENT BUILDING. SO THE CEMETERY IS REALLY GETTING HEMMED IN. BUT I CAN LIVE WITH THAT AND SORT OF TRADE OFF THAT FOR WHAT THE NEIGHBORS ON (INDISCERNIBLE) AND OXFORD GET IN TERM OF SET BACK. ANOTHER CONCERN IS I LIVE ACROSS THE STREET ALSO FROM A BUILDING THAT WAS ONE BUSINESS. NOW IT'S BEEN SUBDIVIDED INTO SIX BUSINESSES, SO THE PARKING OVERFLOW ON OXFORD HAS JUST INCREASED TREMENDOUSLY. AND THEY'RE VERY NARROW STREETS AS YOU KNOW. THOSE ARE TWO OF MY MAIN CONCERNS AND THE FLOODING IS ANOTHER ISSUE. WE'VE SPOKEN WITH DAVE SEVERAL TIMES AND I THINK IT'S BEEN VERY PRODUCTIVE. HE'S SHOWN US THE SF 5 PLAN THAT I THINK IS A GOOD DESIGN AND WE CAN LIVE WITH, AND WHAT WE NEED IS TO GET WHAT THE PLAN SHOWS INTO WRITING. AND AS MR. MCCracken WAS SAYING EARLIER, THIS IS IMPORTANT BECAUSE YOU DON'T KNOW WHAT'S GOING TO HAPPEN. AND IF HE SELLS THE PROPERTY FOR SOME REASON, WE'RE NOT PROTECTED AND I THINK WE NEED TO BE. WE LIVE THERE. WE'RE THE ONES WHO WILL HAVE TO BEAR THE CONSEQUENCES OF ANYTHING THAT WE DON'T ADDRESS RIGHT NOW. AND THESE PEOPLE ARE GOING TO BE OUR NEIGHBORS. AND WE DON'T WANT TO START AN ADVERSARIAL POSITION WITH THEM. BECAUSE WE DIDN'T REALLY WORK ON THE BEST AGREEMENT WE COULD GET FOR EVERYBODY. SO THAT HAVING SAID, IF WE CAN GET THESE CONDITIONAL OVERLAYS, I WOULD SUPPORT THE SF 5. THANK YOU.

Mayor Wynn: THANK YOU. SO THAT CONCLUDES ALL OF OUR FOLKS WHO ARE EITHER FOR, AGAINST OR NEUTRAL AND NOW WE'LL HAVE A THREE-MINUTE REBUTTAL BY MR. WARD.

HELLO AGAIN. I WOULD JUST LIKE TO AGAIN REVIEW THIS PROCESS. ALL OF THE CONDITIONAL OVERLAYS OR A MAJORITY OF THEM I HAVE OFFERED TO THE NEIGHBORHOOD. IT WAS MY UNDERSTANDING THAT CITY STAFF WOULD CODIFY IT OR PUT IT IN AN ORDINANCE, SO THEREFORE I DID NOT WRITE UP ANYTHING OR HAVE MY ATTORNEY WRITE UP ANYTHING. THE WATER RUNOFF IS A CONCERN FOR THE NEIGHBORS. I UNDERSTAND THAT. THAT IS NOT MY RESPONSIBILITY CURRENTLY BECAUSE THE PROPERTY -- I HAVE NOT DEVELOPED ANYTHING ON THE PROPERTY. THE FRIENDS' CHURCH, THE QUAKER CHURCH, WAS GOING TO PUT IN A LARGE CHURCH AND A VERY LARGE PARKING LOT. AND THEY HAD APPROVAL FROM THE NEIGHBORHOOD ASSOCIATION FOR THAT. SO I HAVE INCORPORATED A WATER RETENTION SYSTEM IN MY PLAN, AND BECAUSE THE NEIGHBORS HAVE SAID I DON'T LIKE A CONCRETE WATER RETENTION SYSTEM, NEITHER DO I, I'M TRYING TO DO A NATURAL, AS NATURAL AS POSSIBLE. BUT THE WATER RUNOFF CURRENTLY, I HAVE HAD NOTHING TO DO WITH THAT. THE PULL BACKS ON ALL SIDES OF THE PROPERTY THAT I HAVE AGREED TO I THOUGHT WERE GOING TO BE OWE I WAS UNDER THE UNDERSTANDING THAT THEY WERE PUT INTO ORDINANCE BY CITY STAFF, SO I DID NOT PREPARE A LEGAL DOCUMENT. I LEFT THE MEETING TWO NIGHTS AGO THINKING WE HAD AN UNDERSTANDING, INFORMED THE NEXT DAY THERE WAS A PETITION. FRANKLY, AND SPEAKING FROM THE HEART, I'M DISAPPOINTED AND A LITTLE DISMAYED, BUT THIS IS BUSINESS AND I'M WILLING TO SIGN WHATEVER IT IS THE CITY NEEDS AND THE NEIGHBORHOOD WOULD AGREE TO TO MAKE THIS PROJECT WORK. I THINK IT'S A GOOD PROJECT. I THINK THERE'S PROBABLY BEEN SOME MISUNDERSTANDINGS, BUT AGAIN, I HAVE EITHER PROPOSED OR ACCEPTED ALL OF THE CONDITIONAL OVERLAYS, INCLUDING THE NEW ONE TONIGHT OR THE OTHER NIGHT ABOUT CODIFYING THE 70-FOOT SET BACK. I'VE KEPT IT KIND OF -- I SAID 20 FEET OR GREATER ORIGINALLY. I PUT IT ON THE DRAWING AS 70 FEET. NOW THEY WANT 70 FEET. OKAY, LET'S DO 70 FEET. SO

IF WE CAN GET THIS DONE OR GET ANOTHER STEP DONE TONIGHT, LET ME PUT IT THAT WAY, I WOULD APPRECIATE IT.

Mayor Wynn: THANK YOU, MR. WARD. ACTUALLY, MR. GUERNSEY, IF YOU OR MR. WARD COULD USE THE SKY CAM THERE AND TALK OUT LOUD AND WALK US THROUGH SOME OF THE ISSUES AS IS SHOWN ON THIS PLAT.

I'M GOING TO WALK THROUGH WHAT I UNDERSTAND ALL PARTIES HAVE AGREED TO. IF ALL PARTIES WILL BEAR WITH ME AS WELL AS COUNCIL, LET ME SEE IF I CAN OFFER A SUGGESTED RESOLUTION TO THIS MATTER. THE ZONING WOULD BE SF 5-CO. THERE WOULD BE A MAXIMUM OF 2,000 TRIP LIMIT ON THE PROPERTY. ALONG THE EAST PROPERTY LINE THERE WOULD BE A 70-FOOT BUILDING SET BACK. AND THEN WITHIN THAT AREA YOU COULD HAVE A NATURAL DETENTION POND, SOMETHING THAT'S PROBABLY EARTHEN AND NOT CONCRETE. IT WOULD ALLOW FOR PARKING SPACES. AND NORMALLY WITH THESE TYPES OF BUFFERS, WE WOULD ALLOW UTILITY CROSSINGS AND FENCING THAT FROM THE NORTH PROPERTY LINE FOR THE FIRST 10 FEET THERE WOULD BE A 10-FOOT SET BACK, SO THERE WOULD BE NO BUILDINGS WITHIN THE FIRST 10 FEET. BETWEEN 10 FEET AND 20 FEET YOU COULD HAVE A ONE-STORY BUILDING. AND THEN BEYOND THAT POINT, FROM 20 FEET AS I UNDERSTAND IT. NEIGHBORHOOD, LISTEN TO ME WHILE I'M DOING THIS. TO THE CENTER DRIVEWAY THAT RUNS, THE BUILDINGS WOULD BE LIMITED TO TWO STORIES. THERE WOULD BE A LIMITATION ON 10 UNITS TOTAL ON THE PROPERTY. THAT ALL BUILDINGS ALONG GOODRICH AVENUE MUST FACE GOODRICH. THAT THERE BE AT LEAST TWO PARKING SPACES PROVIDED FOR EACH RESIDENTIAL UNIT OR MORE IF ITS REQUIRED BY THE CODE. AND TWO ADDITIONAL SPACES WOULD BE PROVIDED IN EXCESS OF THE TWO REQUIRED PER UNIT. AND AS I SAID BEFORE, THESE ADDITIONAL SPACES MAY BE LOCATED WITHIN 70 FEET OF THE EASTERN MOST PROPERTY BOUNDARY. AND THE NEIGHBORHOOD IS INDICATING YES. YES, I MENTIONED THE LIMITATION OF 10 UNITS.

Mayor Wynn: MR. WARD, COULD YOU POINT OUT, ARE THOSE UNITS ON GOODRICH AS YOU'VE DRAWN THEM, ARE THOSE

FACING GOODRICH?

I ASKED MY ARCHITECT TO DO THAT, AND THE DOOR WOULD HAVE TO BE INSTEAD OF WHERE HE HAS IT DRAWN, WE WOULD HAVE TO REDESIGN THE STAIRS ON THIS PROPERTY, AND WE ALSO HAVE A VERY LARGE STREET PRESENCE HERE WITH THE TERRACE WITH DOUBLE DOORS. BY THE WAY, WE HAVEN'T DESIGNED THESE DOWN TO THE DETAIL. THIS IS PRIOR TO ZONING. SO IN THIS PROPERTY YES. I DON'T HAVE A PROBLEM WITH FACING THESE TWO UNITS TO THE STREET, WHICH IS WHAT JEFF JACK HAD REQUESTED KEEPING THE NEIGHBORHOOD SF 3 FRIENDLY. EVERYTHING MR. GUERNSEY SAID WAS CORRECT. THESE UNITS ARE TWO STORY ON THE NORTHSIDE OF THE PROPERTY WITH THE PROPERTY SETBACKS, AND THESE UNITS OVER HERE ARE DUPLEX THREE STORIES. THIS IS THE HISTORICAL CEMETERY AND CHURCH. THAT'S ALL I HAVE. ANY OTHER QUESTIONS?

Mayor Wynn: QUESTIONS, COMMENTS, COUNCIL?
COUNCILMEMBER LEFFINGWELL.

Leffingwell: SO THE PLANNING RELIGIOUS WAS SF 5-CO WITH SOME OF THESE CONDITIONS OR FIVE OF THEM? WHAT IS IN THE LIST THAT YOU JUST GAVE US THAT THE PLANNING COMMISSION DIDN'T RECOMMEND?

DID OR DID NOT?

Leffingwell: DID NOT.

DID NOT. THE EAST PROPERTY LINE, THEY SPECIFIED A 40-FOOT VEGETATIVE BUFFER AND BASICALLY WE SPOKE TO A 70-FOOT BUILDING SET BACK OR A 70-FOOT BUFFER THAT WOULD ALLOW PARKING WITHIN THAT BUFFER. THE NATURAL DETENTION POND, AN EARTHEN POND, NOT A CONCRETE POND. CLARIFIED THE SETBACKS FROM THE NORTH PROPERTY LINE TO BE NO BUILDING SHALL BE BUILT BETWEEN ZERO AND 10 FEET FROM THE NORTH PROPERTY LINE, AND A LIMIT OF ONE STORIES BETWEEN 10 AND 20 FEET FROM THE NORTH PROPERTY LINE AND THERE'S SLIGHTLY DIFFERENT LANGUAGE THAT THE COMMISSION HAS. IT'S WRITTEN IN YOUR BACKUP. THERE'S NO BUILDING

TALLER THAN ONE STORY WITHIN 10 FEET.

...

Leffingwell: SO THE COMMISSION HAD THAT WRITTEN IN THEIR RECOMMENDATION, ALL OF THAT STUFF WITH REGARD TO THE NORTH PROPERTY LINE?

THAT'S RIGHT. IT'S WRITTEN SLIGHTLY DIFFERENT. AND IF YOU TOOK THE LANGUAGE AS WRITTEN IN YOUR BACKUP, IT WOULD MOVE THESE BUILDINGS SLIGHTLY CLOSER TO THE PROPERTY LINE. AND I UNDERSTAND THAT DAVID AND THE NEIGHBORHOOD ARE IN AGREEMENT TO THE LANGUAGE I READ EARLIER THAT THERE WOULD BE NOTHING IN THE FIRST 10 FEET. IN THE FIRST 10 TO 20 FEET IT WOULD BE LIMITED TO ONE STORY. AND THEN FROM THAT TO THE CENTER OF WHERE THAT DRIVEWAY IS, BASICALLY IN THE MIDDLE OF THE PROPERTY, THAT WOULD BE LIMITED TO TWO STORIES. SO YOU COULD SAY HALFWAY BETWEEN THE NORTHERNMOST AND SOUTHERNMOST PROPERTY LINES MEASURED FROM THE NORTH PROPERTY LINE. YOU WOULD HAVE ZERO HEIGHT, ZERO BUILDING HEIGHT BETWEEN ZERO AND 10 FEET, ONE STORY BETWEEN 10 AND 20 FEET, AND THEN TWO STORY MAXIMUM FROM THAT POINT, 20 FEET OFF THE NORTHERN PROPERTY LINE TO THE CENTER OF THE PROPERTY.

Leffingwell: OKAY. AND THE ADDITIONAL 10 UNITS TOTAL MAXIMUM?

THAT'S CORRECT.

Leffingwell: BUILDINGS ON GOODRICH FACE STREET AND TWO PARKING UNITS -- TWO PARKING PLACES PER UNIT PLUS TWO.

THAT'S RIGHT. THERE WOULD BE TWO --

Leffingwell: TWO ADDITIONAL --

TWO FOR EACH RESIDENTIAL UNIT. IN ADDITION TO THAT REQUIREMENT THERE WOULD BE TWO EXTRA SPACES

ABOVE AND BEYOND THE TWO PER UNIT REQUIREMENT.

Leffingwell: THAT'S WHAT I THOUGHT I SAID. SO IF ALL OF THESE CONDITIONS ARE MET, IS THERE OR IS THERE NOT RIGHT BEFORE WE VOTE A VALID PETITION?

WE SAW THE VALID PETITION BEFORE RIGHT NOW, UNLESS ALL THOSE PEOPLE ARE WILLING TO COME FORWARD AND REMOVE THEIR NAME FROM IT, WHAT WE CAN DO IS WE CAN DRAFT THIS INTO AN ORDINANCE AND/OR COULD..COVENANT WHERE IT'S APPROPRIATE, WE CAN SHOW IT TO THE NEIGHBORHOOD AND SHOW IT TO DAVID AND THEN ALL PARTIES WILLING --

Leffingwell: THAT WOULDN'T HAVE TO BE DONE NOW. WE COULD ONLY DO FIRST READING BECAUSE ALL THE STUFF HAS TO BE DRAFTED. AND IT DOESN'T MATTER, FOUR VOTES IS ENOUGH TO TAKE IT TO SECOND AND THIRD READING AND THE VALID PETITION WOULD ONLY BE EFFECTIVE ON THE FINAL READING.

THAT'S CORRECT.

MAY I ASK ONE QUESTION? I BELIEVE THERE ARE FOUR RESIDENTS HERE WHO SIGNED THAT PETITION. IF THEY WERE WILLING TO REMOVE THEIR NAMES TONIGHT --

Leffingwell: IT DOESN'T MATTER TONIGHT --

Mayor Wynn: THERE'S NO DIFFERENCE, MR. WARD. FURTHER COMMENTS, QUESTIONS? COUNCILMEMBER MCCRACKEN.

McCracken: SOUNDS LIKE WE BASICALLY HAVE AN AGREEMENT HERE. WHY DON'T WE PASS IT ON FIRST READING, GET IT ADOPTED, MAKE SURE THE LANGUAGE WORKS FOR SECOND AND THIRD.

Mayor Wynn: MOTION BY COUNCILMEMBER MCCRACKEN TO CLOSE THE PUBLIC HEARING AND APPROVE ON FIRST READING ONLY. DIRECT STAFF OF COURSE TO CREATE THE APPROPRIATE ORDINANCE THAT CODIFIES DOCUMENTS. THESE AGREEMENTS DISCUSSED TONIGHT.

AS I READ IN EARLIER.

...

Mayor Wynn: AS YOU READ EARLIER INTO THE RECORD.

...

SECOND.

Mayor Wynn: SECONDED BY COUNCILMEMBER COLE. AND MR. GUERNSEY, IS IT APPROPRIATE TO HAVE THIS READY FOR SECOND AND THIRD READING FOR THE NINTH OR 10th?

YES. IS THERE A PARTICULAR DATE THAT YOU DESIRE?

Mayor Wynn: TECHNICALLY THAT OTHER CASE IS COMING BACK ON THE 10th, SO WE COULD MAKE IT ON THE 10th 10th --

I THINK WE POSTPONED THE EARLIER CASE TO THE NINTH.

Mayor Wynn: I THOUGHT WE POSTPONED ITEM 150 -- 149 TO THE 10th.

VERY GOOD. IT WILL COME BACK ON THE 10th.

Mayor Wynn: MOTION AND A SECOND ON THE TABLE. FURTHER COMMENTS? HEARING NONE, ALL THOSE IN FAVOR PLEASE SAY AYE. OPPOSED? MOTION PASSES ON FIRST READING ONLY ON A VOTE OF SEVEN TO ZERO. THANK YOU, EVERYBODY. OKAY, COUNCIL, ARE WE THROUGH WITH ZONING, MR. GUERNSEY?

IF YOU LIKE, I CAN GO ON TO THE 6:00 O'CLOCK PUBLIC HEARING, ITEM 152. IT'S AN ITEM THAT WE'RE SUGGESTING A POSTPONEMENT TO AUGUST 10th AND I CAN READ BRIEFLY THE CAPTION.

PLEASE DO.

ITEM 152 ON YOUR AGENDA IS TO CONDUCT A PUBLIC HEARING AND RECEIVE COMMENTS AND ISSUES RELATED TO THE FULL PURPOSE ANNEXATION OF THE LOST CREEK

MUNICIPAL UTILITY DISTRICT ANNEXATION AREA, APPROXIMATELY 789 ACRES IN TRAVIS COUNTY LOCATED WEST OF CAPITAL OF TEXAS HIGHWAY AND WEST OF THE INTERSECTION OF LOST CREEK BOULEVARD AND CAPITAL OF TEXAS HIGHWAY. FULL PURPOSE ANNEXATION IS ANTICIPATED FOR DECEMBER 2008 IN ACCORDANCE WITH THE CITY'S MUNICIPAL ANNEXATION PLAN. AND STAFF IS REQUESTING A POSTPONEMENT OF THIS ITEM TO THE 8-10 AGENDA.

Mayor Wynn: AND WE HAVE NO CITIZENS HERE SIGNED UP THAT CAME HERE TO SPEAK, KNOWING THAT -- THINKING THAT WE'RE GOING TO MAKE THIS POSTPONEMENT, SO I'LL ENTERTAIN THE MOTION. MOTION BY MAYOR PRO TEM, SECONDED BY COUNCILMEMBER LEFFINGWELL TO POSTPONE THIS PUBLIC HEARING, ITEM NUMBER 152 TO AUGUST 10th, 2006. FURTHER COMMENT? HEARING NONE, ALL THOSE IN FAVOR PLEASE SAY AYE. OPPOSED? MOTION PASSES ON A VOTE OF SEVEN TO ZERO.

GOOD EVENING, MAYOR AND COUNCIL. MY NAME IS ADAM SMITH AND I'M HERE TO PRESENT ITEM 153 WHICH IS IN REGARDS TO ADDING SIX NEIGHBORHOOD ASSOCIATIONS TO THE RESTRICTIVE COVENANTED PARKING AREA -- RESTRICTED PARKING AREA MAP. THE RESTRICTED PARKING IN THE FRONT OR SIDE YARD OF RESIDENTIAL PROPERTIES WAS ESTABLISHED IN 2002 IN RESPONSE TO CONCERNS BY RESIDENTS OF THE NORTH AUSTIN CIVIC ASSOCIATION IN REGARDS TO VEHICLES BEING PARKED IN THE FRONT YARD WHICH IS DETRACTING FROM THE OVERALL LOOK AT THE NEIGHBORHOOD. IN SOME CASES THERE WERE THREE OR FOUR CARS PARKED IN THE FRONT YAR AND SOMETIMES WAS DIFFICULT TO SEE THE HOUSE FOR THE CARS. THE CURRENT ORDINANCE PROHIBITS A PERSON FROM PARKING A MOTOR VEHICLE IN THE FRONT OR SIDE YARD OF A RESIDENTIAL PROPERTY EXCEPT IN A DRIVEWAY OR A PAVED PARKING SPACE AS DEPICTED ON AN APPROVED SITE PLAN. TICKETS FOR VIOLATING THE ORDINANCE ARE GIVEN ON A COMPLAINT BASED SYSTEM. A.P.D. TYPICALLY ISSUES A VERBAL WARNING ON THE FIRST OFFENSE AND 10... THEN TICKETS THE VEHICLE IF VIOLATIONS PERSIST. THE FINE FOR THE FIRST OFFENSE IS \$40, HOWEVER IS REDUCED TO \$20 IF THE FINE IS PAID

EARLY. [ONE MOMENT, PLEASE, FOR CHANGE IN
CAPTIONERS]

WHAT TYPE OF LIABILITY SITUATION DOES THAT PUT US IN
WHEN WE SEE SUCH DISPARATE TREATMENT.

WE WOULD HAVE TO LOOK INTO THAT COUNCILMEMBER
MARTINEZ. AND SEE WHETHER THERE IS -- THERE IS A
CONCERN ABOUT A DISPRO PORTIONNAL AMOUNT OF --
DISPROPORTIONAL AMOUNT AND GET BACK TO YOU ON THAT.

I WOULD APPRECIATE THAT. I THINK WITH THAT, MAYOR, IT
JUST CAUSES CONCERN THAT IT LOOKS LIKE ONE
PARTICULAR GROUP IS JUST ABNORMALLY BEING AFFECTED
BY THIS ORDINANCE. AND I REALIZE THAT IT'S COMPLAINT-
DRIVEN. BUT MAYBE IN SOME OF THESE NEIGHBORHOODS
WE HAVE -- WE HAVE A COMMUNITY THAT DOESN'T
NECESSARILY SPEAK ENGLISH OR DOESN'T UNDERSTAND
THE ORDINANCES THAT WE ARE ADOPTING AND WE SHOULD
DO -- WE SHOULD DO MORE OUTREACH. MORE BILINGUAL
OUTREACH TO TRY TO EDUCATE THEM ABOUT WHAT WE
ARE DOING BEFORE WE JUST START WRITING CITATIONS
LEFT AND RIGHT. BECAUSE IT JUST -- IT REALLY CONCERNS
ME THAT IT'S -- A NUMBER LIKE 70% IS ALL HISPANICS. OUT
OF THE 260 CITATION THAT'S WE SAW.

FURTHER COMMENTS, QUESTIONS OF STAFF? TECHNICALLY,
I GUESS THIS IS A PUBLIC HEARING, BUT I DON'T KNOW THAT
ANY CITIZENS HAVE SIGNED UP. WE SHOW NOBODY SIGNED
UP TO SPEAK. DON CROWDER, NOT WISHING TO SPEAK IN
FAVOR. ANYBODY HERE WHO WOULD LIKE TO ADDRESS US
REGARDING THIS PUBLIC HEARING? YES, SIR?

Mayor Wynn: COME UP TO THE MICROPHONE. THANK YOU.

WHAT ARE WE TALKING ABOUT? FORGIVE MY IGNORANCE,
BUT I AM A CITIZEN, I'M JUST TRYING TO GET SOME
CLARIFICATION ON WHAT WE ARE TALKING ABOUT.

THE ITEM UP THIS EVENING IS ACTUALLY AN AMENDMENT OF
AN ORDINANCE THAT WAS APPROVED IN 2003 THAT
RESTRICTS PARKING IN THE FRONT YARD. WHAT WAS
HAPPENING BACK IN 2001, WHEN THE NORTH AUSTIN CIVIC

ASSOCIATION NEIGHBORHOOD PLAN WAS GOING THROUGH, THERE WAS A RECOMMENDATION THAT THIS -- THAT THIS PROBLEM BE ADDRESSED AT THAT POINT BECAUSE IN THEIR NEIGHBORHOOD THEY WERE SEEING PEOPLE PARKING WELL OUTSIDE OF THEIR DRIVEWAYS, PARKING THEIR CARS IN FRONT OF THEIR HOMES, ON THEIR YARDS, TO THE POINT WHERE -- WHERE THE GRASS WAS DEAD AND IT WAS JUST BECOMING COMPACTED DIRT AND THERE WAS A GENERAL FEELING IN THE NEIGHBORHOOD THAT -- THAT THIS WAS BRINGING DOWN THE OVERALL CHARACTER OF THE NEIGHBORHOOD AND IN RESPONSE TO THAT, COUNCIL THEN CREATED AN ORDINANCE, IT'S BEEN AMENDED SEVERAL TIMES SINCE THEN. BUT THE CURRENT ORDINANCE NOW SAYS THAT -- THAT YOU CAN ONLY PARK WITHIN THE AREAS SHOWN ON THE RESTRICTED PARKING AREA MAP, YOU CAN ONLY PARK IN YOUR DRIVEWAY OR IN A PAVED AREA AS SHOWN ON THE SITE PLAN.

OKAY. BASICALLY, IF I'M UNDERSTANDING THIS CLEARLY, THE NEIGHBORHOOD IS -- THE PEOPLE IN THE NEIGHBORHOOD WERE HAVING A PROBLEM WITH THEIR NEIGHBORS PARKING THEIR CARS ON -- ON THEIR PROPERTY? IS THAT RIGHT?

Mayor Wynn: THAT'S RIGHT.

SO THIS IS A FREE COUNTRY, IS IT NOT?

YES, IT IS.

OKAY. I -- YOU ALL MIND IF I SING A SONG FOR YOU? I THOUGHT THAT I WOULD ASK.

Mayor Wynn: YOU HAVE A MINUTE AND 24 SECONDS LEFT.

COOL. IN THREE MINUTES I SUSPECT I'LL GET A MOTION TO CLOSE THE PUBLIC HEARING. YOU HAVE BETTER HUSTLE, YOU HAVE A MINUTE. SIT WHERE YOU WANT TO. HE WANTS TO KNOW IF IT'S A FREE. SIT WHERE YOU WANT.

[INDISCERNIBLE] I DON'T KNOW IF IT'S RIGHT. GOES AROUND [INAUDIBLE - NO MIC] TO BE FREE. (music)(music) [INAUDIBLE - NO MIC] (music)(music) (music)(music) FREEDOM, AH FREEDOM. (music)(music) GO -- GO AND -- [INDISCERNIBLE] FREEDOM.

(music)(music) (music) HELP US [INDISCERNIBLE] (music)(music)
[INAUDIBLE - NO MIC] HOW WILL I -- PEACE STANDS IN MY
WAY, THAT'S THE WAY IT'S BEEN [INDISCERNIBLE]
(music)(music) [INAUDIBLE - NO MIC] (music)(music) FREEDOM
(music)(music) [APPLAUSE]

Mayor Wynn: THANK YOU, SHAUN.

YOU'RE WELCOME.

Mayor Wynn: COUNCIL, THAT'S ALL OF OUR CITIZENS WHO
SIGNED UP ON THIS PUBLIC HEARING.

McCracken: MAYOR, I WILL MOVE TO CLOSE THE PUBLIC
HEARING [INDISCERNIBLE]

Mayor Wynn: MOTION MADE BY COUNCILMEMBER
MCCRACKEN, SECONDED BY THE MAYOR PRO TEM TO
CLOSE THIS PUBLIC HEARING AND APPROVE THE
ORDINANCE AS PROPOSED. FURTHER COMMENTS?

I JUST WANTED TO SEE IF THERE WAS ANY WAY TO
POSTPONE THIS UNTIL WE CAN GET SOME BETTER
INFORMATION BACK FROM CITY LEGAL. IF WE APPROVE THIS
WE ARE ADDING MORE NEIGHBORHOODS TO THIS
ORDINANCE AND THEREFORE THEY CAN START
COMPLAINING TOMORROW AND GIVING CITATIONS, IS THAT
NOT CORRECT?

I HAVE A LITTLE BIT OF EXTRA INFORMATION ON THE LEGAL
OPINION. WE DO HAVE A LEGAL OPINION ON IT, SO WE CAN
MAKE SURE THAT GET THAT INTO YOUR HANDS, WHERE YOU
MAY BE IN A BETTER POSITION TO SUMMARIZE IT FOR ME. IN
A QUICK READING IT LOOKS TO ME WHAT THEY ARE SAYING
IS THE PROBABILITY THAT -- THAT THERE COULD BE A
SUCCESSFUL CHALLENGE TO THE ORDINANCE AND THAT
HINGES ON A COUPLE OF DIFFERENT THINGS. MOSTLY THAT
THE ORDINANCE ITSELF WOULD HAVE TO BE WRITTEN IN A
WAY THAT -- THAT WOULD CREATE UNEQUAL
ENFORCEMENT, SO IT'S THE ORDINANCE ITSELF, THE
DRAFTING OF THE ORDINANCE, THE ASSESSMENT THAT IT
DOES NOT PASS, IT DOESN'T PASS THAT TEST. THE OTHER
ASPECT OF IT IS THAT IT'S POINTED OUT IN THE LEGAL

OPINION IS THAT -- IT IS AT THE REQUEST, IT'S AN OPT-IN PROGRAM. SOMETHING YOU MENTIONED EARLIER THAT I THINK WE CAN LOOK INTO IS BECAUSE WE ARE HEARINGS AND ALSO NOTICE, WE CAN MAKE SURE THAT THE WAY THE NOTICE IS HANDLED THAT WE HAVE NOTICE IN BOTH ENGLISH AND SPANISH SO THAT IN TERMS OF PEOPLE UNDERSTANDING WHAT THE RULES ARE GOING TO BE, WE MAKE SURE THAT WE COMMUNICATE IN BOTH LANGUAGES.

OKAY.

JUST REMIND ME, WHEN WOULD THIS TAKE EFFECT IN THESE PARTICULAR NEIGHBORHOODS. 10 DAYS FROM NOW. IT'S -- IT'S THERE A PERIOD OF TIME THAT WE COULD USE TO MAKE SURE THAT THE -- THAT BOTH THE NOTICES BILINGUAL BUT ALSO ESSENTIALLY THE STRUCTURED NEIGHBORHOOD ASSOCIATIONS IN THESE AREAS PERHAPS WITH A LITTLE BIT OF RESOURCES FROM US DO A BETTER JOB OF -- OF -- OF DISSEMINATING THE INFORMATION.

THE ORDINANCE WOULD TAKE EFFECT IN 10 DAYS.

Mayor Wynn: COUNCILMEMBER MCCRACKEN?

McCracken: PERHAPS A REASONABLE APPROACH WOULD BE TO DELAY ENFORCEMENT TO OCTOBER 1st. I APPRECIATE THAT. THANK YOU.

SO -- SO --

LIMITATION TO OCTOBER 1st.

SO THE AMENDED MOTION BY COUNCILMEMBER MCCRACKEN, SECONDED BY MAYOR PRO TEM INCLUDES --

PROBABLY THE BEST WAY TO SAY IT DOES NOT TAKE EFFECT UNTIL OCTOBER 1st.

Mayor Wynn: UNTIL OCTOBER 1.

McCracken: YEAH.

Mayor Wynn: COMFORTABLE.

Martinez: CAN WE GET A BRIEFING FROM STAFF PRIOR TO OCTOBER 1 ON THE CHANGES THAT WE ARE GOING TO MAKE WHEN WE ENACT THIS ORDINANCE?

ABSOLUTELY.

Mayor Wynn: COUNCILMEMBER COLE?

Cole: WHAT DID YOU MEAN WHEN YOU SAID IT WAS AN OPT-IN PROGRAM IN PARTICULAR NEIGHBORHOODS HAD TO OPT INTO THE PROGRAM?

UH-HUH.

FURTHER COMMENTS? HEARING NONE, ALL IN FAVOR.

AYE.

Wynn: OPPOSED? MOTION PASSES ON A VOTE OF 7-0. MS. GENTRY, IS THAT IT?

THANK YOU.

THERE BEING NO MORE BUSINESS BEFORE THE CITY COUNCIL WE NOW STAND ADJOURNED AT 7:44 P.M.

End of Council Session Closed Caption Log